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S. 1849

IN THE SENATE OF THE UNITED STATES

APRIL 28 (legislative day, APRIL 25), 1955

Mr. JOHNSTON of South Carolina introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

A BILL

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, each employee (a) who on the effective date of this
4 Act is serving under an indefinite appointment in a position
5 in the competitive civil service other than a position whose
6 salary rate is fixed by the Act of July 6, 1945 (59 Stat.
7 435), as amended, and was so serving on January 23,
8 1955, and (b) who between June 30, 1950, and January
9 23, 1955, was certified and within reach for consideration
10 for indefinite appointment from a competitive civil-service

1 register appropriate for filling a position in which he served
2 between such dates shall have his indefinite appointment
3 converted as of the effective date of this Act to a career-
4 conditional appointment, or a career appointment, as deter-
5 mined appropriate under the civil service regulations applied
6 in conversions under section 201 of Executive Order 10577
7 of November 22, 1954.

8 SEC. 2. Each individual who between January 23, 1955,
9 and the effective date of this Act was separated from the
10 service without cause and who otherwise would have been
11 eligible for conversion under section 1 of this Act shall be
12 eligible for reinstatement within two years of the effective
13 date of this Act, under career-conditional or career appoint-
14 ment in the competitive civil service in a position for which
15 qualified.

16 SEC. 3. The United States Civil Service Commission is
17 authorized and directed to promulgate regulations for the
18 administration and enforcement of this Act.

19 SEC. 4. This Act shall take effect ninety days from the
20 date of enactment.

A BILL

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

By Mr. JOHNSTON of South Carolina

APRIL 28 (legislative day, APRIL 25), 1955

Read twice and referred to the Committee on Post
Office and Civil Service

of certain financial assistance loans and for other purposes; to the Committee on Foreign Relations.

By Mr. MANSFIELD (for Mr. MURRAY):
S. 1837. A bill to amend section 15 of the act entitled "An act to provide for the allotment of lands of the Crow Tribe, for the distribution of tribal funds, and for other purposes," approved June 4, 1920; to the Committee on Interior and Insular Affairs.

By Mr. PASTORE:
S. 1838. A bill for the relief of Tomasso Scotto DiPerta; to the Committee on the Judiciary.

By Mr. MARTIN of Pennsylvania:
S. 1839. A bill granting the consent of Congress to the negotiation of an interstate compact providing for a toll road connecting the east and west coasts of the United States; to the Committee on Public Works. (See the remarks of Mr. MARTIN of Pennsylvania when he introduced the above bill, which appear under a separate heading.)

By Mr. HUMPHREY:
S. 1840. A bill to provide for voluntary coverage of dentists under the Federal old-age and survivors insurance system established by title II of the Social Security Act; and

S. 1841. A bill to provide for voluntary coverage of lawyers under the Federal old-age and survivors insurance system established by title II of the Social Security Act; to the Committee on Finance.

(See the remarks of Mr. HUMPHREY when he introduced the above bills, which appear under a separate heading.)

By Mr. POTTER (by request):
S. 1842. A bill to provide for a national cemetery at Fort Custer, Mich.; to the Committee on Interior and Insular Affairs.

By Mr. LEHMAN:
S. 1843. A bill for the relief of Efstathios Aristidou Spathis; to the Committee on the Judiciary.

By Mr. HILL:
S. 1844. A bill amending paragraph IV of Veterans Regulation No. 6 (a) by including the Republic of the Philippines; to the Committee on Labor and Public Welfare.

By Mr. SCHOEPPPEL:
S. 1845. A bill to provide for the discharge of tax liens on certain real property deeded to the United States of America subject to unpaid taxes; to the Committee on the Judiciary.

By Mr. BUTLER:
S. 1846. A bill for the relief of Dr. Howard Seeming Liang; and
S. 1847. A bill for the relief of Alecos Markos Karavasilis and his wife, Steliani Karavasilis; to the Committee on the Judiciary.

By Mr. RUSSELL:
S. 1848. A bill for the relief of W. C. Shepherd, trading as W. C. Shepherd Co.; to the Committee on the Judiciary.
By Mr. JOHNSTON of South Carolina:
S. 1849. A bill to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment; to the Committee on Post Office and Civil Service.

(See the remarks of Mr. JOHNSTON of South Carolina, when he introduced the above bill, which appear under a separate heading.)

By Mr. KERR:
S. 1850. A bill for the relief of Gerhard Kamp; to the Committee on the Judiciary.
S. 1851. A bill to direct the Secretary of the Army to convey certain land to Mary Ann Aust; to the Committee on Public Works.

By Mr. KERR (for himself, Mr. MON-RONEY, Mr. HUMPHREY, and Mr. SPARKMAN):

S. 1852. A bill to amend the Federal Crop Insurance Act; to the Committee on Agriculture and Forestry.

(See the remarks of Mr. KERR when he introduced the above bill, which appear under a separate heading.)

By Mr. FULBRIGHT:
S. 1853. A bill to amend the Natural Gas Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. CURTIS:
S. 1854. A bill to permit amounts paid motor-carrier transportation systems as compensation for the possession or control of such systems by the United States to be attributed, for income tax purposes, to the period of such possession or control; to the Committee on Finance.

By Mr. MONRONEY (for himself, Mr. MAGNUSON, Mr. SMATHERS, Mr. BIBLE, Mr. PASTORE, and Mr. ERVIN):
S. 1855. A bill to amend the Federal Airport Act, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. POTTER:
S. 1856. A bill for the relief of Aina Kosmider; to the Committee on the Judiciary.

NEGOTIATION OF INTERSTATE COMPACT FOR A TOLL ROAD CONNECTING THE EAST AND WEST COASTS

Mr. MARTIN of Pennsylvania. Mr. President, I introduce, for proper reference, a bill granting the consent of Congress to the negotiation of an interstate compact providing a toll road connecting at a point on the Pennsylvania Turnpike, east of Pittsburgh, and extending westward, following the general course of the National Pike, known as U. S. Route 40, to San Francisco.

I hope the Members of Congress will give this subject careful consideration.

A road of this character would connect the Atlantic seaboard with the Pacific slope. It would tie America together industrially, culturally, and spiritually. It could be used in case of necessity as a great military highway. Rights-of-way wide enough should be secured to take care of future needs of our country.

I ask unanimous consent that the bill be printed in the RECORD at this point as a part of my remarks.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the bill will be printed in the RECORD.

The bill (S. 1839) granting the consent of Congress to the negotiation of an interstate compact providing for a toll road connecting the east and west coasts of the United States, introduced by Mr. MARTIN of Pennsylvania, was received, read twice by its title, referred to the Committee on Public Works, and ordered to be printed in the RECORD, as follows:

Be it enacted, etc., That the consent of Congress is hereby given to the States of Pennsylvania, West Virginia, Ohio, Indiana, Illinois, Missouri, Kansas, Colorado, Utah, Nevada, California, and any other State or States, to negotiate and enter into a compact providing for the construction and operation of a toll road connecting the Pennsylvania

Turnpike with the west coast of the United States, beginning at a point east of Pittsburgh, and extending westward, south of Pittsburgh, following the general course of the National Pike known as U. S. Route 40 to San Francisco. Such compact shall not be binding or obligatory upon any of the parties thereto unless and until it shall have been ratified by the legislatures of all of the States entering into it and approved by the Congress of the United States.

EXTENSION OF SOCIAL SECURITY COVERAGE TO DENTISTS AND LAWYERS

Mr. HUMPHREY. Mr. President, I introduce, for appropriate reference, two bills designed to extend social-security coverage. The first provides for voluntary coverage for dentists under the Federal old-age and survivors insurance system, and the other provides for the voluntary coverage of lawyers under that system.

Members of the Senate will recall that during the 83d Congress at the time that we were considering revisions of the Social Security Act, I submitted an amendment to extend this coverage to members of the dental profession. I did so as a result of a poll which had been taken by the Minnesota dentists which demonstrated overwhelming support for that social-security extension. Since that time there has been added evidence demonstrating to my complete satisfaction that members of the dental profession in other States, whenever given an opportunity to do so, voted to be covered by the Federal old-age and survivors insurance system.

In connection with this matter I have just had an opportunity to learn from a poll taken in the State of Iowa that 81 percent of the voting dentists are in favor of coverage under social-security coverage, with only 12.5 percent opposed to it.

I ask unanimous consent to have an item from the Cedar Rapids News of January 10, 1955, and a memorandum from the Altman-Gilbert Advertising Agency of Cedar Rapids dealing with this subject included in the body of the RECORD at this point.

There being no objection, the article and memorandum were ordered to be printed in the RECORD, as follows:

[From the Cedar Rapids News of January 10, 1955]

STATE'S DENTISTS FAVOR ACCEPTING SOCIAL SECURITY

The majority of Iowa dentists do not agree with the American Dental Association's stand on the question of social-security coverage.

And they do not agree with the Iowa delegation's vote on the question at the association's last convention, results of a poll of Iowa dentists showed Monday.

The poll was taken by the Altman-Gilbert Advertising Agency of Cedar Rapids, on behalf of a group of 22 Cedar Rapids dentists and 1 living in Dubuque. Results were tabulated by McGladrey, Hansen, Dunn & Co., a Cedar Rapids accounting firm.

The result, announced Monday, showed 81 percent of the voting dentists in favor of

coming under social-security coverage, while 12.5 percent were opposed.

Of nearly 1,700 dentists in Iowa, the advertising agency report showed, 995 were accounted for in the tabulation.

It said that every registered dentist in the State was given an opportunity to vote—including about 400 who do not belong to the Iowa State Dental Society. The group which sponsored the poll includes both members and nonmembers of the society.

Only votes signed by the dentists were tabulated, the ad agency said. The names were checked against the list of Iowa dentists, and duplicate votes were eliminated.

Of the 995 ballots returned, 806 favored inclusion of dentists in the social-security program, while 124 were opposed.

Another 10 favored giving individual dentists the option of accepting or rejecting social-security coverage, while 15 reported "no opinion," and 3 wanted more information before voting.

Thirty-seven ballots were not delivered—either because the dentist had died or because of change of address or wrong addresses.

A spokesman for the group of Cedar Rapids dentists said that at the national society's last convention the vote was 215 against social-security coverage and 167 for coverage. He said the vote gets closer each year.

The Iowa delegation, he said, voted 4 to 3 against giving dentists social-security coverage.

Dentists now are excluded from the social-security program, because of the dental society's stand.

CEDAR RAPIDS, IOWA, January 7, 1955.

EIGHTY-ONE PERCENT OF IOWA DENTISTS FAVOR SOCIAL SECURITY FOR THEMSELVES—12.5 PERCENT ARE OPPOSED TO SOCIAL SECURITY FOR THEMSELVES

This information was gained from the figures tabulated by McGladrey, Hansen, Dunn & Co., certified public accountants in Cedar Rapids.

Following are final results of figures they tabulated from returns received by us on the recent poll we conducted at the request of, and financed by, 22 Cedar Rapids and 1 Dubuque dentists.

Nine hundred and ninety-five answers, signed by dentists, were turned over to the certified public accountants named above.

Dentists in favor of social security, 806; 81 percent.

Dentists opposed to social security, 124; 12.5 percent.

Dentists in favor of optional coverage, 10; 1 percent.

Dentists with no opinion, 15; 1.5 percent. Letters returned because dentist deceased, 11; 1.1 percent.

Dentists wanting more information, 3; 0.3 percent.

Letters returned because of change of address, wrong address, and reasons other than deceased, 26; 2.6 percent.

Every registered dentist in Iowa was given the opportunity to vote, including about 400 who do not belong to the dental society.

Only votes signed by the dentist were included in the tabulation. These were checked on arrival against the list of Iowa licensed dentists, and all duplicate votes eliminated.

The original tabulation by McGladrey, Hansen, Dunn & Co. is on file in our office for inspection by anyone interested.

ALTMAN-GILBERT ADVERTISING AGENCY,
M. A. GILBERT.

Mr. HUMPHREY. According to Dr. H. W. Stonebrook, president, Iowa State Dental Society, Eldora, Iowa, in a letter dated December 21, 1953, to Secretary Hobby of the Health, Education, and Welfare Department:

Iowa favors inclusion of self-employed dentists to the ranks of OASI. In fact, the Des Moines District Dental Society, which comprises about one-fifth of the total dental population of Iowa, favors inclusion by 97 percent.

I am also advised that Mr. Schenck, a member from Ohio, shared my conclusions as a result of interviews and conferences he has held with the dentists in his State. His conclusions are identical with the results of an Ohio dental poll which found on the basis of 1,685 returns that the dentists voted 8 to 5 to be included under the provisions of the Social Security Act.

Dental societies all over the Nation have conducted polls in many States, results of which show favor of the adoption of social security by a ratio of 8 to 1. This includes polls relating to the States of Massachusetts, Minnesota, and Oregon, which I brought to the attention of the Senate last year. The polls show, according to the February, 1954 issue of Oral Hygiene, the following results:

	Yes	No
Massachusetts-----	1,164	51
Minnesota-----	927	325
Oregon-----	397	140

I recently heard of a referendum conducted among members of the Chicago Dental Society which demonstrated that approximately 81 percent of the dentists voted to be included.

I am convinced that our Nation's dentists are fully deserving of the opportunity to participate in the social-security program.

On the basis of information available to me, it is made clear that the members of the rural profession share the same attitude. This was dramatized a few weeks ago at the annual midwinter meeting of the American Bar Association in Chicago.

The recommendation of the association's board of governors, which was approved by the house of delegates, is as follows:

In view of the present sentiment of the members of the legal profession in favor of voluntary social-security coverage, the board of governors recommends to the house of delegates that the American Bar Association favor voluntary coverage under the Social Security Act for lawyers and such of the professional groups as desire to be included.

The action of the American Bar Association is thoroughly consistent with polls taken of lawyers in a great many States and in my judgment, on the basis of information given to me, carries out the wishes of the members of the legal profession.

It is my hope that Congress will act in favor of my proposals and thus allow lawyers and dentists to share in the benefits that other citizens enjoy.

The PRESIDENT pro tempore. The bills will be received and appropriately referred.

The bills, introduced by Mr. HUMPHREY, were received, read twice by their titles, and referred to the Committee on Finance, as follows:

S. 1840. A bill to provide for voluntary coverage of dentists under the Federal old-age and survivors insurance system established by title II of the Social Security Act; and

S. 1841. A bill to provide for voluntary coverage of lawyers under the Federal old-age and survivors insurance system established by title II of the Social Security Act.

GRANTING OF CAREER-CONDITIONAL AND CAREER APPOINTMENTS TO CERTAIN INDEFINITE EMPLOYEES OF GOVERNMENT

Mr. JOHNSTON of South Carolina. Mr. President, a new appointment system was put into effect by the Civil Service Commission on January 23, 1955. The new system is designed to accomplish two primary objectives. First, to establish a stable yet flexible appointment system for the long range future and, secondly, to eliminate the emergency procedures established under the Whitten amendment. The system sets up a new kind of civil-service appointment called career-conditional. This type of appointment will generally be given to persons appointed from registers of eligibles set up through open competitive examinations. The first year of service is a probationary period which is considered an integral part of the examination. After completion of probation, the employee acquires competitive status. After 3 years the employee acquires a full career status.

When the new system went into effect some 220,000 indefinite employees, who entered the Government service on a competitive basis and who had 3 years or more of service, were converted to career status employees. An additional 235,000 indefinites, who also entered the Government service on a competitive basis, but who had less than 3 years' service, were converted to career-conditional. These employees will acquire full career status as soon as they complete the necessary 3 years of service.

Mr. President, the objectives of the new system are splendid and it is a fine thing from the standpoint of both the Government and the 455,000 indefinite employees who were converted to career or career-conditional that the system was adopted. However, there is a large group of indefinite employees who were not so converted and who should be, in my opinion. The group consists of employees who competed successfully in regular competitive civil-service examinations but were not appointed from a register of eligibles because they were already in the Federal service under some other type of appointment. I do not believe they should be barred from conversion to career or career-conditional status because of a technicality. Following are typical examples of the situation to which I refer:

(a) Eligible A was certified for the position of O. and M. examiner, grade 11. Upon reporting for interview he was advised the job was filled. However, he was offered, and accepted, a position as statistician, GS-11 outside the register. Within a few months he was reassigned to the O. and M. examiner position for which he was originally certified.

(b) A stenographer working in agency A under an appointment outside the register was offered appointment in agency B as a result of her certification from a stenographer register. She was

persuaded by agency A to stay with them.

Mr. President, I introduce for appropriate reference, a bill to provide for the grant of career conditional and career appointments in the competitive Civil Service to indefinite employees who previously qualified for competitive appointment.

The PRESIDENT pro tempore. The bill will be received and appropriately referred.

The bill (S. 1849) to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment, introduced by Mr. JOHNSTON of South Carolina, was received, read twice by its title, and referred to the Committee on Post Office and Civil Service.

AMENDMENT OF FEDERAL CROP INSURANCE ACT

Mr. KERR. Mr. President, on behalf of myself, my colleague, the junior Senator from Oklahoma [Mr. MONRONEY], the Senator from Minnesota [Mr. HUMPHREY], and the Senator from Alabama [Mr. SPARKMAN], I introduce, for appropriate reference, a bill to amend the Federal Crop Insurance Act. I ask unanimous consent that a statement, prepared by me, relating to the bill, be printed in the RECORD.

The PRESIDENT pro tempore. The bill will be received and appropriately referred; and, without objection, the statement will be printed in the RECORD.

The bill (S. 1852) to amend the Federal Crop Insurance Act, introduced by Mr. KERR (for himself, Mr. MONRONEY, Mr. HUMPHREY, and Mr. SPARKMAN), was received, read twice by its title, and referred to the Committee on Agriculture and Forestry.

The statement presented by Mr. KERR is as follows:

STATEMENT BY SENATOR KERR

The bill which I am introducing, and in which I am being joined by Senators MONRONEY, HUMPHREY, and SPARKMAN, would, if enacted, require the Eisenhower administration to restore the Federal Crop Insurance program to its original purposes. The original purpose of the crop-insurance program was to establish a means by which farmers and the American people could prepare themselves ahead of time to cushion the disastrous shocks of reduced farm income in local areas that always results when flood, drought, insect infestation, or disease strikes a debilitating blow to the farm production.

The American people have never been known to sit idly by to allow human suffering when disaster strikes their fellow citizens anywhere. We have always been generous of our work and our treasure to help rescue those who suffer from national disasters. The Federal Crop Insurance program was set up to make prior provision for such catastrophes on individual farms, in local areas, and in regionwide disasters. It was never intended that crop insurance would be a money-making proposition nor a Federal subsidy, rather it was intended that the American people would insure themselves against heavy future relief loans by paying the administrative costs of a crop-insurance program wherein the payments of indemnities for loss would be paid by farmers in premiums.

Under Secretary of Agriculture Benson, the Department of Agriculture has begun to erode this original purpose, adding purely administrative costs to the premiums charged to farmers. It has gone further and had bills introduced into the Senate (S. 1165) which would allow the charging of all administrative costs of the program to premiums. To do so would be to ask farmers to assume the entire risk of adverse weather and to shoulder the social costs of disaster always heretofore borne by the population at large.

The bill I am introducing (sec. 4) would prohibit the administration from loading up the premiums charged to farmers with administrative costs. This would return the program to its original purpose whereby farmers would assume the costs of the risk of crop failure and the people as a whole through their Government would pay the costs of administering the program.

When originally established, the current crop-insurance program was not applied nationwide to all crops, but only in a few counties to a few crops. The idea was that the program should be expanded gradually as experience in its application was acquired. Now, however, we have seen the program jerked out of 9 drought-stricken counties with 7 more drought-stricken counties threatened. Moreover, we have heard that consideration is being given to eliminating crop insurance for durum wheat, which was stricken by rust and complete elimination of crop insurance for tobacco and other southeastern areas because the small size of the individual policies bring about a high ratio of administrative costs to premium income. This kind of action and reasoning is completely inconsistent with the purpose of the crop-insurance program. It is consistent only with the mistaken notion that the purpose of the Federal crop-insurance program is to do the experimental work required to turn a paying proposition over to private insurance companies in disregard of public and farmer needs for greater protection than can be insured by a profit-type insurance corporation.

The bill I am introducing would reverse this trend by requiring a 2-year notice of intention before an operating crop-insurance program could be jerked out of a county.

The Eisenhower administration has further revealed its intentions of turning the program over to private interests in two other ways: One, I understand that they have turned over a large part of their public actuarial records to be photostated by private-profit corporations for their own use. And two, the administration has in a dynamically progressive manner removed administration of crop insurance program from the hand of democratically elected county and community committeemen and turned it over to the same private-profit insurance companies who have gotten the records and who have made some trial runs on skimming off the cream of the low-risk crop insurance business.

The bill I am introducing (sec. 1) would stop this kind of thing by requiring that the Secretary utilize the farmer committees in carrying out the crop insurance program.

It was expected when we passed the 1947 crop insurance law, that the program would be expanded into additional counties and ultimately into all 3,000 farm counties. This expansion, while still provided by law, has made little progress recently. The bill I am introducing (sec. 2) does not put a mandate for rapid expansion. To do so might require unsound speed. My bill does require that if 200 farmers in a county petition for the program, the reasons for not so expanding the program must be incorporated in the next budget message of the President.

My bill has another provision that experience in the drought areas of the Southwest

have shown to be needed (and this provision is not included in the administration bill, S. 1165). If a certain crop, for example, winter wheat should be adjudged a complete failure—the indemnity will be paid and the land immediately released so that it can be put into other soil holding land cover without cost of indemnity payment.

In a county where drought and destructive dust storms usually occur together, it is senseless to require land to lay bare as a requirement for collecting the crop insurance indemnity on a previous crop that has been a complete failure.

TRANSFER OF CERTAIN PROPERTY IN THE CITY OF PIPESTONE, MINN.—AMENDMENTS

Mr. HUMPHREY. Mr. President, I submit, and ask to have appropriately referred, amendments intended to be proposed by me to Senate bill 210, a bill to authorize the transfer of certain property in the city of Pipestone, Minn., and for other purposes.

The PRESIDENT pro tempore. The amendments will be received, printed, and referred to the Committee on Interior and Insular Affairs.

INTERNAL SECURITY MANUAL (S. DOC. NO. 40)

Mr. WILEY. Mr. President, on May 1, 1953, the Senate approved at my request a motion to print as a publication as Senate Document No. 47, 83d Congress, 1st session, a compilation of Federal statutes, Executive orders, and congressional resolutions relating to the internal security of our country.

Toward the end of the 83d Congress, a mass of important new legislation was enacted by the Congress in this field.

Since the start of this Congress, great numbers of messages of inquiry have come to me as to when a revision of the manual would be forthcoming, since it is now obsolete.

I ask unanimous consent for the revision of Senate Document No. 47 and for its publication as a new document in the 84th Congress.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wisconsin? The Chair hears none, and it is so ordered.

Mr. WILEY. Mr. President, I should like to elaborate on the unanimous-consent request, and I ask unanimous consent that I be given 2 minutes in order to make a statement.

The PRESIDENT pro tempore. Without objection, the Senator may proceed.

Mr. WILEY. Mr. President, prior to Senate Document No. 47, there had never been available, in one place, all of the material, statutory and administrative, bearing upon the administration of internal security in our land.

Each day, however, congressional committees, executive agency personnel, newspaper editors, law-enforcement officers, security officers in industrial plants, union officials, attorneys, and a tremendous variety of other Americans have occasion to look up security data.

I am pleased to say that thousands of copies have been sold by the Government Printing Office at a cost of 70 cents

apiece. The intelligence agencies of the United States Government, the security agencies, have secured hundreds of copies through my own office, the document rooms, and other congressional sources.

They have reported the manual as virtually indispensable to their work.

The manual was, of course, thoroughly proof-read and checked prior to its issuance. It was reviewed by all the congressional investigations committees bearing upon the internal-security field, and by all the sources in the executive branch having responsibility for this problem.

The Library of Congress, which was responsible for the basic compilation, has now, in accordance with my instructions, compiled the necessary data for the revised edition.

Since there is, I understand, somewhat of a log-jam at the GPO, in view of the wide number of other hearings and documents now being published, I feel that the green light should be flashed for the publication of this revised document today, because it will obviously be some time before the revised document itself can be printed and available for distribution.

The manual has, I feel, reflected great credit on the Senate as an important guide, and I feel sure that the revised edition will be as well or even better received than was the original edition, which found great acceptance among all responsible observers.

ORDER TO RETURN CERTAIN PAPERS TO HIALMAR H. CARPER

Mr. NEELY. Mr. President, at the written request of Hialmar H. Carper, that certain papers which in 1952 were obtained from him by the Subcommittee on Crime and Law Enforcement of the Committee on the District of Columbia, be returned to him, I submit an order granting the request and ask unanimous consent that it be entered. I may say that the proposed order was yesterday approved by the Committee on the District of Columbia.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from West Virginia?

There being no objection, the order was read and agreed to, as follows:

IN THE SENATE OF THE UNITED STATES OF AMERICA.

It is ordered, That the Senate Committee on the District of Columbia be and is hereby authorized to return to Mr. Hialmar H. Carper, 4021 North Glebe Road, Arlington, Va., the following documents which were produced by the said Hialmar H. Carper in 1952 to the Subcommittee of the Committee on the District of Columbia Investigating Crime and Law Enforcement:

1. Nine hundred and seventy-seven canceled checks of Mrs. H. H. Carper, drawn on the Arlington Trust Co., Arlington, Va., covering the period May 9, 1945, to October 31, 1951, inclusive.

2. Twenty-seven bank statements, Arlington Trust Co., Arlington, Va., showing the account of Mrs. H. H. Carper, from March 7, 1945, through July 24, 1951, inclusive.

3. Seven United States Individual Income tax returns, as follows:

(a) Return of Hialmar H. Carper, 1946.

(b) Return of Eunice R. Carper, 1946.

(c) Return of Hialmar H. Carper, 1947.

(d) Return of Eunice R. Carper, 1947.

(e) Return of Hialmar H. and Eunice R. Carper, 1948.

(f) Return of Hialmar H. and Eunice R. Carper, 1949.

(g) Return of Hialmar H. and Eunice R. Carper, 1950.

4. One 27-page financial questionnaire of Hialmar H. Carper.

ADDRESSES, EDITORIALS, ARTICLES, ETC., PRINTED IN THE APPENDIX

On request, and by unanimous consent, addresses, editorials, articles, etc., were ordered to be printed in the Appendix, as follows:

By Mr. LEHMAN:

Statement made by him before the Senate Subcommittee on Labor in support of S. 662, amending the Fair Labor Standards Act.

By Mr. MONRONEY:

Statement by him with reference to the Committee for a National Trade Policy and Mr. George W. Ball, in connection with the hearings on H. R. 1, providing for the extension of the Trade Agreements Act.

Address entitled "Air Transportation For All Our Citizens," by Col. Joseph P. Adams, Vice Chairman of the Civil Aeronautics Board, delivered on April 26, 1955, at the Second Annual Airport Management Conference.

Article entitled "Reds' Angry Blasts at 'Voice' Delight Washington," published in the New York World Telegram and Sun of March 19, 1955, dealing with the Voice of America programs.

By Mr. ERVIN:

Address entitled "Foster True Patriotism," delivered by Miss Gertrude S. Carraway, president general of the Daughters of the American Revolution, at its 64th congress on April 18, 1955.

By Mr. HENNINGS:

Addresses incident to celebration of the opening of the second 100 years of existence of Washington University, in St. Louis, Mo., which will appear hereafter in the Appendix.

Editorial entitled "Timely Observations," published in the St. Joseph (Mo.) News-Press of April 13, 1955, in tribute to former President Harry S. Truman.

By Mr. MUNDT:

Telegrams and news release received by him dealing with the 20th anniversary of the establishment of the Soil Conservation Service.

By Mr. MARTIN of Pennsylvania:

Article on removal of smog from Pittsburgh, Pa., written by Phyllis Battelle, and published in the Pittsburgh Sun-Telegram of April 18, 1955.

By Mr. CARLSON:

An editorial entitled "What Price Quemoy and Matsus?" published in the April 21 issue of the Iron Age.

By Mr. THYE:

Article entitled "Small Firms Needing Help on Marketing Can Now Get It From SBA," published in the Wall Street Journal of April 19, 1955.

By Mr. MANSFIELD:

Article on retail food prices and modern aids to food preparation, written by Mrs. Ted R. Banta, and published in the Great Falls (Mont.) Tribune of April 23, 1955.

By Mr. HUMPHREY:

Editorial entitled "Was This Republican Editor Right?" published in the Marshall (Minn.) Daily Messenger, dealing with treatment of the farmers by the Republican Party.

By Mr. MARTIN of Iowa:

Article pertaining to the civic life of Dr. Frank Day, published in the Des Moines Sunday Register of March 20, 1955.

By Mr. PAYNE:

Two articles, written by May Craig and published in the Portland (Maine) Press Herald of April 23 and April 25, 1955, describing her recent trip to Russia.

By Mr. NEUBERGER:

Article entitled "Boris Sirpo's All-Girl Orchestra," written by Ann Sullivan and published in the Sunday Oregonian of April 17, 1955.

Editorial entitled "Land for the People," published in the Washington Post of April 19, 1955, dealing with the 160-acre limitation on reclamation projects.

By Mr. GOLDWATER:

Article entitled "Your Job: Where Does It Come From?" published in the Reader's Digest.

Article entitled "A Laboring Man Looks at Labor," written by Joseph A. Byrd, and published in the Tablet of March 19, 1955.

NOTICE OF HEARING ON NOMINATION OF JAMES B. CONANT TO BE AMBASSADOR EXTRAORDINARY PLENIPOTENTIARY TO REPUBLIC OF GERMANY

The PRESIDENT pro tempore. As a Senator and chairman of the Committee on Foreign Relations, the Chair desires to say that the Senate received today the nomination of James B. Conant, of Massachusetts, to be Ambassador Extraordinary and Plenipotentiary of the United States of America, to the Federal Republic of Germany. Notice is hereby given that this nomination will be considered by the Committee on Foreign Relations, at the expiration of 6 days.

NOTICE CONCERNING CERTAIN NOMINATIONS BEFORE COMMITTEE ON THE JUDICIARY

Mr. KILGORE. Mr. President, the following nominations have been referred to and are now pending before the Committee on the Judiciary:

John R. Brown, of Texas, to be United States circuit judge, Fifth Circuit, vice Robert Lee Russell, deceased.

Ruben Rodriguez-Antongiorgi, of Puerto Rico, to be United States attorney for the district of Puerto Rico, for the term of 4 years, vice Harley A. Miller, resigned.

Robert W. Oliver, of Alaska, to be United States marshal, division No. 2, district of Alaska, for a term of 4 years, vice Benjamin B. Mozee, term expired.

Notice is hereby given to all persons interested in these nominations to file with the committee on or before Thursday, May 5, 1955, any representations or objections in writing they may wish to present concerning the above nominations, with a further statement whether it is their intention to appear at any hearings which may be scheduled.

THE CHALLENGE OF MENTAL HEALTH

Mr. WILEY. Mr. President, I was pleased to receive today from Mr. Mike Gorman, executive director of the National Mental Health Committee, an important message concerning the need for comprehensive action for the

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 15, 1955
For actions of June 14, 1955
84th-1st, No. 99

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HIGHLIGHTS: See page 5.

HOUSE

1. TRADE AGREEMENTS. Agreed to the conference report on H. R. 1, to extend the President's authority to enter into trade agreements (pp. 6941-58). The conferees agreed to a threeyear extension of the act with modifications.
2. TOBACCO. Both Houses agreed to a resolution requesting that the enrolled S. J. Res. 60, which would authorize a study of burley tobacco marketing controls, be returned to the Senate, and changing the due date of the USDA report from July 1 to November 1, 1955 (p. 6958). The amended measure will now be sent to the President.
3. FORESTS. The Rules Committee reported a resolution, which would call for consideration of H. R. 5891, to amend the mining laws to provide for multiple use of the surface of the same tracts of public lands (p. 6978).
The Interior and Insular Affairs Committee reported without amendment (H. Rept. 786) H. R. 4664, which would authorize the Secretary of Interior to acquire certain rights-of-way and timber access roads (p. 6990).
4. APPROPRIATIONS. The Rules Committee reported a resolution waiving points of order against H. R. 6766, making appropriations for certain public works projects (pp. 6990-1).

SENATE

5. COMMERCE AND RELATED AGENCIES APPROPRIATION BILL, 1956. Began debate on this bill, H. R. 6367 (pp. 6898-6923, 6927-30).

The Senate committee increased forest highways to the budget estimate of \$25,000,000, which was \$6,500,000 more than the House figure. The committee made no change in the House figure of \$5,500,000 for completion of the census of agriculture, which was \$500,000 less than the budget estimate.

The committee report includes the following statement: "It is the sense of the committee that the extension of agriculture frost-warning service is to be encouraged wherever communities or local associations of agricultural producers provide required supporting funds. In the case of Maricopa County, Ariz., \$10,000 is provided within the amount allowed for the provision of such a service."

6. DEFENSE DEPARTMENT APPROPRIATION BILL, 1956. The Appropriations Committee reported with amendments this bill, H. R. 6042 (S. Rept. 545) (p. 6864).
7. GENERAL GOVERNMENT MATTERS APPROPRIATION BILL, 1956. The Appropriation subcommittee ordered favorably reported to the full committee with amendments this bill, H. R. 6499 (p. D548-9).
8. ORGANIZATION; PROPERTY MANAGEMENT. Received from the Hoover Commission a report on real property management; to Government Operations Committee (p. 6860).
9. WATER COMPACT. The Public Works Committee reported without amendment H. R. 208, providing for a water compact between Ark. and Okla. (S. Rept. 539) (p. 6864).
10. ROADS. The Public Works Committee reported with amendment H. R. 5923, to authorize certain sums to be appropriated for the completion of the construction of the Inter-American Highway (S. Rept. 542) (p. 6864).
11. WATER POLLUTION. The Public Works Committee reported with amendments S. 890, to extend and strengthen the Water Pollution Control Act (S. Rept. 543) (p. 6864).
12. SELECTIVE SERVICE. The Armed Services Committee reported with amendments H. R. 3005, to extend selective service for 4 years until July 1, 1959 (S. Rept. 549) (p. 6864).
13. PUBLIC DEBT. Sen. Martin, Pa., discussed the increase in public and private debt and stated that "Government, at all levels, should balance the budget" (p. 6882).
14. WATER SHORTAGES. Sen. Bennett discussed the problems of water shortages and inserted a Washington Sunday Star editorial, "Water, Water Everywhere, But U. S. May Be Facing Catastrophic Shortage" (pp. 6882-3).
15. ELECTRIFICATION. Sen. Neuberger discussed the concern being expressed over the decision of the Supreme Court in the case of the Federal Power Commission against Oregon and inserted newspaper articles on this subject (pp. 6883-5).
Sen. Lehman inserted his testimony in favor of Niagara power project legislation (pp. 6930-4).
16. PERSONNEL. Discussed and passed over S. 1041, to provide for the inclusion in the computation of accredited service, under the Civil Service Retirement Act, of certain periods of service rendered States or instrumentalities of States. Sen. Purtell stated he did not think it proper business to consider this bill on call of the calendar in view of the fact that the Civil Service Commission and the Bureau of the Budget have expressed opposition to the bill (p. 6897).
The Post Office and Civil Service Committee ordered favorably reported without amendment S. 59, to make April 1, 1948 the effective date for survivorship benefits to widowers, and S. 1849, to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment (p. D549).

Digest of CONGRESSIONAL PROCEEDINGS

OF INTEREST TO THE DEPARTMENT OF AGRICULTURE

OFFICE OF BUDGET AND FINANCE
(For Department Staff Only)

Issued June 20, 1955
For actions of June 17, 1955
84th-1st - No. 102

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HIGHLIGHTS: Senate passed bill to prohibit USDA prediction of apple prices. Ready for President. Senate passed bills to: transfer to USDA certain real property in Virgin Islands; authorize additional extension work for low-income farmers; provide penalties for false grade marking; consolidate experiment station authorizations; protect grain standards. Senate debated defense appropriation bill. Senate com-

(Cont'd. on p. 4)

SENATE

1. APPLE PRICES. Passed without amendment H. R. 5188, to prohibit this Department from predicting apple prices in any official publication (pp. 7342-3). This bill will now be sent to the President.
2. PROPERTY. Passed without amendment S. 2097, to transfer land and buildings now used for research under cooperative agreement with the Virgin Islands Corporation (p. 7341).
3. EXTENSION WORK. Passed without amendment S. 2098, to authorize additional appropriations for cooperative extension work among low-income farmers (p. 7341).
4. EMERGENCY LOANS. The Senate Agriculture and Forestry Committee reported with amendment S. 1582, to extend the period for making emergency loans for agricultural purposes (S. Rept. 574) (p. 7283).
5. MARKETING. Passed as reported S. 1757, to provide penalties for false grade marking (p. 7343). The bill would strengthen provisions to prevent deception in connection with inspection of agricultural commodities and would increase the maximum fine from \$500 to \$1,000.
6. EXPERIMENT STATIONS. Passed as reported S. 1759, to consolidate experiment station authorizations (pp. 7343-5). The bill would prevent allotments from shifting with shifts in relative rural and farm population; freeze the amount earmarked by section 9 of the Bankhead-Jones Act for marketing research at the amount so earmarked in 1955; and repeal a provision exempting the Georgia

experiment station from the Secretary's authority to withhold funds from stations not complying with the act.

7. GRAIN STANDARDS. Passed as reported S. 1400, to protect the integrity of grade certificates under the U. S. Grain Standards Act (p. 7345).
8. EVER COMPACT. Passed without amendment H. R. 208, providing for a water compact between Arkansas and Oklahoma (p. 7333). This bill will now be sent to the President.
9. ROADS. Passed as reported H. R. 5923, to authorize appropriations for the completion of the Inter-American Highway (p. 7334).
10. FARM LOANS; RECLAMATION. Passed as reported S. 1472, to extend financial assistance to desert-land entrymen to the same extent as such assistance is available to homestead entrymen (p. 7343).
11. GENERAL GOVERNMENT AGENCIES APPROPRIATION BILL, 1956. The Appropriations Committee reported with amendments this bill, H. R. 6499 (S. Rept. 573) (p. 7283).
12. DEFENSE DEPARTMENT APPROPRIATION BILL, 1956. Began debate on this bill, H. R. 6042 (pp. 7332, 7350-1, 7354-8).
13. PERSONNEL. The Post Office and Civil Service Committee reported without amendment S. 1849, to provide for the granting of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment (S. Rept. 576) (p. 7283).
The Government Operations Committee reported with amendments S. J. Res. 21, to establish a Commission on Government Security (S. Rept. 581) (p. 7283).
14. REORGANIZATION. The Government Operations Committee agreed to refer to its Subcommittee on Reorganization the eight Hoover Commission reports and draft legislation received thus far by the committee (S. Rept. 581) (p. 7283).
15. LAND TRANSFERS. Discussed and passed over upon objection by Sen. Morse H. R. 2973, to release reversionary rights to a former FHA tract in Macon County, Ga., to the Ga. Board of Education (pp. 7341-2).
16. RECLAMATION; ELECTRIFICATION. Sen. Mansfield inserted his statement favoring the construction of the proposed Yellowtail Dam (p. 7287).
Sen. Watkins inserted his statement in answer to various charges made by Raymond Moley against reclamation programs in the West (pp. 7325-31).
17. ELECTRIFICATION. Sen. Neuberger criticized the administration's power policies and inserted newspaper articles on this subject (pp. 7288-90).
18. OPERATION ALERT. Sen. Humphrey criticized this Department for certain statements sent to farmers during Operation Alert, and stated that "this part of the operation might well be termed 'Operation Foul-up'" (pp. 7349-50).
19. WATER POLLUTION. Passed as reported S. 890, to extend and strengthen the Water Pollution Control Act (pp. 7334-8).

GRANTING CAREER APPOINTMENTS TO QUALIFIED
EMPLOYEES

JUNE 17 (legislative day, JUNE 14), 1955.—Ordered to be printed

Mr. JOHNSTON of South Carolina, from the Committee on Post Office and Civil Service, submitted the following

R E P O R T

[To accompany S. 1849]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 1849) to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment, having considered the same, report favorably thereon without amendment and recommend that the bill do pass.

PURPOSE

S. 1849 provides that indefinite employees (except employees whose salary rate is fixed by the act of July 6, 1945, as amended) who are serving on the effective date of enactment in positions in the competitive service, and who were so serving on January 23, 1955, would have their indefinite appointments converted to career-conditional or career appointments if they were certified and within reach for indefinite appointment on competitive civil-service registers appropriate for indefinite appointment to jobs they held between June 30, 1950, and January 23, 1955. Determination as to whether they would receive career or career-conditional appointments would depend upon their length of service during such period of time.

EXPLANATION

A new appointment system was put into effect by the Civil Service Commission on January 23, 1955. The new system is designed to accomplish two primary objectives. First, to establish a stable yet flexible appointment system for the long-range future and, secondly, to eliminate the emergency procedures established under the Whitten amendment. The system sets up a new kind of civil-service appointment called career conditional. This type of appointment will gen-

2 GRANTING CAREER APPOINTMENTS TO QUALIFIED EMPLOYEES

erally be given to persons appointed from registers of eligibles set up through open competitive examinations. The first year of service is a probationary period which is considered an integral part of the examination. After completion of probation, the employee acquires competitive status. After 3 years, the employee acquires a full career status.

When the new system went into effect, some 220,000 indefinite employees, who entered the Government service on a competitive basis and who had 3 years or more of service, were converted to "career status" employees. An additional 235,000 indefinites, who also entered the Government service on a competitive basis but who had less than 3 years' service, were converted to "career conditional." These employees will acquire full career status as soon as they complete the necessary 3 years of service.

The objectives of the new system are splendid, and it is a fine thing from the standpoint of both the Government and the 455,000 indefinite employees who were converted to career or career conditional that the system was adopted. However, there are a number of indefinite employees who were not so converted and who should be. The group consists of employees who competed successfully in regular competitive civil-service examinations but were not appointed from a register of eligibles because they were already in the Federal service, under some other type appointment. The committee does not believe they should be barred from conversion to career or career conditional status because of a technicality regarding the nature of their appointment.

Following are typical examples of the type of cases covered by the bill:

(a) Eligible A passed an examination and was certified for the position of organization and methods examiner, grade 11. Upon reporting for interview he was advised the job was filled. However, he was offered, and accepted, a position as statistician, GS-11 outside the register. Within a few months he was reassigned to the organization and methods examiner position for which he was originally certified. Eligible A has been denied a career appointment under the regulations adopted by the Civil Service Commission.

(b) A stenographer working in agency A under an appointment outside the register was offered appointment in agency B as a result of her certification from a stenographer register. She was persuaded by agency A to stay with them. She has been denied a career appointment because she did not resign her position in agency A and accept the offer for the same job in agency B.

AGENCY REPORTS

Following are agency reports on S. 1849, as reported.

COMPTROLLER GENERAL OF THE UNITED STATES,
Washington 25, June 10, 1955.

HON. OLIN D. JOHNSTON,
*Chairman, Committee on Post Office and Civil Service,
United States Senate, Washington, D. C.*

DEAR MR. CHAIRMAN: Your letter of May 4, 1955, requests our views and comments upon S. 1849, copies of which accompanied your request.

Section 1 of S. 1849 makes it mandatory that any employee serving under an indefinite appointment in a position in the competitive civil service—except

postal service—on the effective date of the act, and who was so serving on January 23, 1955 (the effective date of Executive Order 10577), and who between June 30, 1950, and January 23, 1955, became eligible for an indefinite appointment from a competitive civil-service register shall have his appointment changed to a career conditional or career appointment as determined under the civil-service regulations issued pursuant to Executive Order 10577. Executive Order 10577 authorizes the Civil Service Commission to promulgate regulations for appointments; and conversion of prior appointments, to career and career-conditional appointments but subject to the limitations on permanent appointments prescribed in section 1310 of the Supplemental Appropriation Act of 1952 (65 Stat. 757), as amended.

Section 2 of this bill authorizes career conditional or career appointments to each individual otherwise within the purview of section 1 who was separated without cause between January 23, 1955, and the effective date of the act. The bill makes its administration subject to proper civil-service regulations.

It is understood that under the current regulations of the Civil Service Commission, employees of the class covered by this bill, that is, those employees who for various reasons failed to receive indefinite appointments from competitive civil-service registers, although otherwise eligible, would again be required to take examinations to become eligible for appointment in the career service. The bill would eliminate that requirement. Moreover, the bill presumably would have the effect of permitting permanent appointments of this class of employees in excess of the ceiling on permanent appointments established by section 1310 of the Supplemental Appropriation Act of 1952, as amended.

We feel that the bill would be beneficial upon the morale of the involved employees, and it would seem that the satisfactory performance of their duties in their respective positions for the period covered by the bill would amply demonstrate their qualifications for permanent appointments.

See in connection with the above our report of May 13, 1955, to you, B-98188, upon a somewhat similar bill, S. 1711.

Sincerely yours,

JOSEPH CAMPBELL,
Comptroller General of the United States.

UNITED STATES CIVIL SERVICE COMMISSION,
Washington 25, D. C., June 14, 1955.

HON. OLIN D. JOHNSTON,
*Chairman, Committee on Post Office and Civil Service,
United States Senate, Washington, D. C.*

DEAR SENATOR JOHNSTON: This is in further reply to your letter of May 4, 1955, asking for the views and comments of the Civil Service Commission on S. 1849, a bill to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

The Commission does not favor enactment of this bill.

S. 1849 provides that indefinite employees, except postal field service employees, who are serving on the effective date of enactment in positions in the competitive service, and who were so serving on January 23, 1955, would have their indefinite appointments converted to career-conditional or career appointments if they were certified and within reach for indefinite appointment on competitive civil service registers appropriate for indefinite appointment to jobs they held between June 30, 1950, and January 23, 1955. Determination as to whether they would receive career or career-conditional appointments would depend upon their length of creditable service as required by the Commission's regulations under Executive Order 10577.

The bill also provides that former indefinite employees who would be otherwise eligible for conversion except that they were separated from the service without cause between January 23, 1955, and the effective date of enactment would be eligible for reinstatement under career-conditional or career appointments in the competitive civil service within 2 years of the effective date. The Commission would be authorized and directed to issue regulations for administering and enforcing the act, and the effective date would be 90 days from the date of enactment.

Executive Order 10577 provided for the conversion to career-conditional or career appointments of the indefinite appointments of those employees who

were actually appointed in regular order from civil-service registers established after February 4, 1946. This order specifically applied, therefore, only to those employees who met the competitive requirements of the civil-service laws, rules, and regulations; that is, they applied for civil-service examinations in competition with other citizens and were selected by their agencies for their jobs in the order prescribed by the Veterans' Preference Act and the civil-service rules and regulations.

I wrote you on April 25, 1955, in response to your letter of April 9 in behalf of Mr. Robert C. Lauer in which you asked that the Commission make a complete evaluation of the career-conditional program in view of the many letters of complaint received by your committee. In my reply, a copy of which is attached, I gave you an analysis of the factors which led to the original decision to limit automatic conversion to those indefinite employees who were actually appointed from competitive registers. The Commission has made a thorough and extensive reevaluation of its original decision and found that no more equitable solution is possible within competitive principles.

S. 1849 would authorize the conversion or reinstatement of those indefinite employees who competed in civil service examinations, were certified to a Federal agency, and were within reach for indefinite appointment but were not actually selected by their agencies from the certificates. It therefore recognizes the equities of certain employees whose conversions were not authorized by Executive Order 10577. There are many other employees, however, with claims to consideration that may be equal to or greater than those of employees who would be covered by the bill. Some of these groups are described in my letter of April 25. There are, for example, employees who failed to apply for examinations announced by the Commission for indefinite appointment because they were already serving in the same type of job, at the same grade, and under the same type of indefinite appointment made without competitive examination. There was no advantage to such employees to apply at the time, but if they had applied they might later have become eligible for conversion under Executive Order 10577. Some of these employees have undoubtedly had longer service than many employees who would be covered by S. 1849.

The Commission has been unable to find a feasible way within competitive principles to distinguish clearly all those employees who have some claim to consideration from those employees who have no equity at all; that is, employees who had no intention of applying for competitive examinations, or if they had applied would not have been within reach for appointment on the registers. We decided that to take action to authorize the conversion of only those employees for whom it might be practicable to reconstruct the situation in order to determine their full equities would result in creating further inequities for the many employees for whom such a reconstruction would be infeasible or impossible. We gave consideration to proposing an amendment to Executive Order 10577 authorizing the conversion of the same group of indefinite employees who would be covered by S. 1849. We decided against such action principally because it would create many further inequities for other groups that would not be covered.

The Commission concluded that it would be more desirable to give special consideration to all indefinite employees, consistent with competitive principles, in obtaining future career-conditional or career appointments. These employees have the usual privilege of applying for any open civil-service examination. In addition, as a measure to recognize the equities of many of these employees, the Commission permits them to apply for any two examinations that may be appropriate for jobs in their present establishment even though such examinations may now be closed to the general public. We have also granted certain waivers as to age, physical, and apportionment requirements in connection with these applications.

We are now conducting an examining program to the limit of our resources in order to give as great a number of these employees as possible an opportunity to compete for career-conditional or career appointments. We certify these employees to their agencies automatically as soon as they come within reach for appointment on the registers. We believe that these steps will give most of these employees a chance to acquire career-conditional or career appointments in the reasonably near future if they are successful in their examinations and come within reach for appointment.

In our opinion, the only practicable way to recognize all of the equities of indefinite employees who are not converted under Executive Order 10577 would be to blanket into the competitive service all such indefinite employees without

regard to their standing on competitive registers. The Commission is not in favor, however, of conferring competitive status on employees who have not earned it as a result of meeting the competitive requirements of the civil-service laws, rules, and regulations except where sound public policy dictates such action.

In view of the fact that S. 1849 would cover only some indefinite employees who have equities and would therefore create inequities for many employees not covered but who have equal or better claims to consideration, we are not in favor of its enactment.

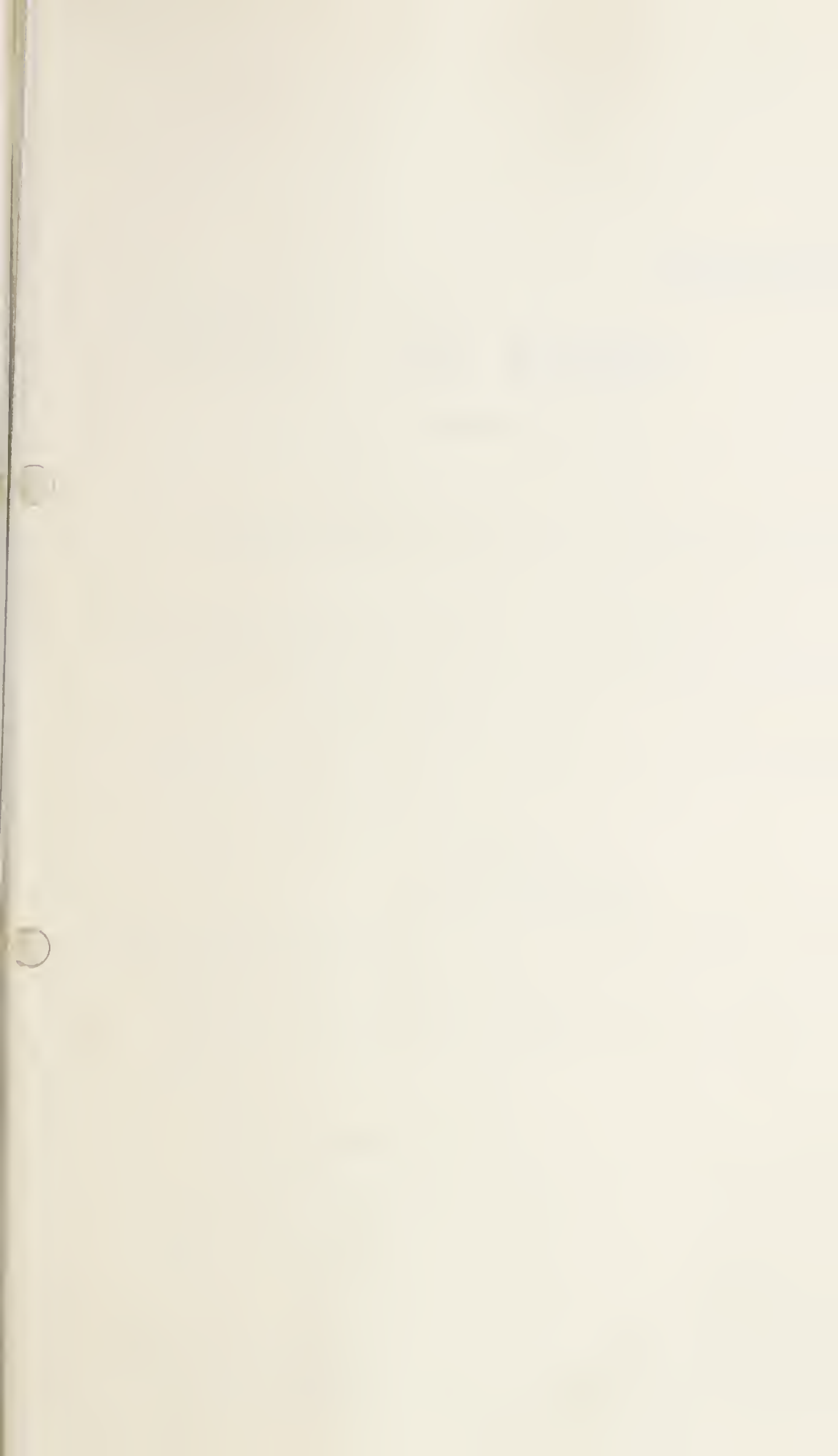
We are informed that the Bureau of the Budget has no objection to the submission of this report.

By direction of the Commission:

Sincerely yours,

PHILIP YOUNG, *Chairman.*





Calendar No. 580

84TH CONGRESS
1ST SESSION

S. 1849

[Report No. 576]

IN THE SENATE OF THE UNITED STATES

APRIL 28 (legislative day, APRIL 25), 1955

Mr. JOHNSTON of South Carolina introduced the following bill; which was read twice and referred to the Committee on Post Office and Civil Service

JUNE 17 (legislative day, JUNE 14), 1955

Reported by Mr. JOHNSTON of South Carolina, without amendment

A BILL

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, each employee (a) who on the effective date of this
4 Act is serving under an indefinite appointment in a position
5 in the competitive civil service other than a position whose
6 salary rate is fixed by the Act of July 6, 1945 (59 Stat.
7 435), as amended, and was so serving on January 23,
8 1955, and (b) who between June 30, 1950, and January
9 23, 1955, was certified and within reach for consideration

1 for indefinite appointment from a competitive civil-service
2 register appropriate for filling a position in which he served
3 between such dates shall have his indefinite appointment
4 converted as of the effective date of this Act to a career-
5 conditional appointment, or a career appointment, as deter-
6 mined appropriate under the civil service regulations applied
7 in conversions under section 201 of Executive Order 10577
8 of November 22, 1954.

9 SEC. 2. Each individual who between January 23, 1955,
10 and the effective date of this Act was separated from the
11 service without cause and who otherwise would have been
12 eligible for conversion under section 1 of this Act shall be
13 eligible for reinstatement within two years of the effective
14 date of this Act, under career-conditional or career appoint-
15 ment in the competitive civil service in a position for which
16 qualified.

17 SEC. 3. The United States Civil Service Commission is
18 authorized and directed to promulgate regulations for the
19 administration and enforcement of this Act.

20 SEC. 4. This Act shall take effect ninety days from the
21 date of enactment.

Calendar No. 580

84TH CONGRESS
1ST SESSION

S. 1849

[Report No. 576]

A BILL

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

By Mr. JOHNSTON of South Carolina

APRIL 28 (legislative day, APRIL 25), 1955
Read twice and referred to the Committee on Post
Office and Civil Service

JUNE 17 (legislative day, JUNE 14), 1955
Reported without amendment

6. LEGISLATIVE PROGRAM. The Majority Leader scheduled consideration of the conference reports on the Commerce Department appropriations and D. C. judges, and possibly S. 2090, the mutual security bill on Wed., June 29; and H. R. 7000, the new reserve forces bill on Thurs., June 30 (p. 8056).

SENATE

7. FORESTRY. Passed H. R. 5891, to amend the mining laws to provide for multiple use of the surface of the same tracts of the public lands, with an amendment to substitute the language of S. 1713 as reported (pp. 7965-81).

The bill provides that deposits of common varieties of sand, building stone, gravel, pumice, pumicite, and cinders on public lands shall be disposed of under the Materials Act instead of the mining laws; amends the Materials Act to give the Secretary of Agriculture the same authority with respect to the common, widespread mineral materials and vegetative materials located on lands under his jurisdiction as that which the Secretary of the Interior has with respect to lands under his jurisdiction; amends the general mining law to prohibit use of any hereafter located unpatented mining claim for any purpose other than prospecting, mining, processing, and related activities; vests in the responsible U. S. agency authority to manage and dispose of vegetative surface resources on such locations, to manage other surface resources (except minerals subject to the mining laws), and to use so much of the surface as is necessary for management purposes or for access to adjacent lands, except that such use must not endanger or materially interfere with mineral development; and establishes a procedure to quiet-title old mining claims.

Rejected a Malone amendment to confine operation of the bill to those lands coming within jurisdiction of the Forest Service (p. 7981). Rejected a Malone motion to recommit the bill until hearings could be held in the 11 Western States (p. 7980).

8. PERSONNEL. The Post Office and Civil Service Committee reported with amendments S. 1792, to amend Sec. 10 of the Federal Employees Group Life Insurance Act of 1954, authorizing the assumption of the insurance obligations of any nonprofit association of Federal employees with its members (S. Rept. 686) (p. 7959).

S. 1849, to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment, was made the unfinished business (p. 8005).

Sen. Williams discussed "loopholes" in retirement laws, urged consolidation of various formulas under which Government employees can qualify for retirement, and listed four cases wherein the individuals involved "found a way to beat the Government retirement system", including a former employee of this Department (pp. 7995-6).

9. ELECTRIFICATION. Sen. Kefauver criticized the administration's power policies (pp. 7982-93).

10. RECLAMATION. Sen. Neuberger inserted a Denver Post editorial favoring the proposed Hells Canyon Dam (pp. 8005-6).

11. FARM LOANS. The Agriculture and Forestry Committee ordered reported S. 1758, to amend the Bankhead-Jones Farm Tenant Act to modify, clarify, and provide additional authority for insurance of loans (p. D626).

12. FORESTRY. The Interior and Insular Affairs Committee ordered reported without amendment H. R. 4046, to abolish the Old Kasaan National Monument, Alaska, and transfer its land to the Tongass National Forest (p. D626).
13. WATER RESOURCES. The Interior and Insular Affairs Committee ordered reported with amendment H. R. 3990, authorizing the Interior Department to investigate and report to Congress on the water resources in Alaska (p. D626).
14. WATER COMPACT. The Interior and Insular Affairs Committee ordered reported with amendment S. 787, granting consent of Congress to Missouri Basin States to negotiate a Missouri River Basin compact (p. D626).
15. LEGISLATIVE PROGRAM. Sen. Johnson announced that after the consideration today of the bill to grant career appointments in competitive civil service to certain indefinite employees, the following bills will probably be considered: To permit certain Federal employees to be given retirement credit for certain State service; readjust postal classification on educational and cultural materials; and any conference reports which may be presented (p. 7958).

ITEMS IN APPENDIX

- 15a. RECLAMATION; ELECTRIFICATION. Rep. Ostertag inserted an editorial from a Buffalo paper discussing proposals for public or private power development of Niagara Falls, which maintained that public power development is only seemingly cheap (p. A4705).

Rep. Wier inserted an article by a member of the Izaak Walton League urging that the upper Colorado bill be defeated to insure the permanent elimination of the Echo Park Dam from this project (p. A4708).

Rep. Hosmer inserted an editorial from a North Carolina paper disapproving of the upper Colorado project because it would benefit marginal areas not suitable for cultivation (p. A4732). In another statement, Rep. Hosmer criticized the Florida irrigation project in Colorado, a part of the upper Colorado project (p. A4740).

Rep. Hillings inserted the platform of the Young Republican National Federation, adopted at Detroit, Mich., June 18, 1955, which includes a statement approving the President's policy of partnership between public and private power interests in water resources development (p. A4735).

Rep. Dawson countered arguments that the upper Colorado reclamation project contained a "hidden interest subsidy," to be paid by all the States, claiming that money paid into the reclamation fund by the four States involved would take care of this item (p. A4740).
16. MUTUAL SECURITY. Rep. Bonner spoke in the House against the Burleson amendments to the Mutual Security Act, which would, he claimed, unduly subsidize foreign shipping companies (pp. A4704-5).

Rep. Bonner inserted a resolution of the Committee on Merchant Marine and Fisheries to delete certain provisions of the mutual security amendments regarding shipping (p. A4709).

Rep. Smith, Wis., inserted a statement by Dr. John H. Reisner, executive secretary for Agricultural Missions, Inc., giving recommendations regarding setting up an international organization to administer technical assistance in foreign countries (pp. A4724-5).

Rep. Tollefson criticized the Cargo Preference Act, stating that it does not guarantee that 50% of shipping will be carried by American ships (p. A4739).

other material which is found to be special nuclear material pursuant to the provisions of the Atomic Energy Act of 1954.

(d) The term "United States," when used in a geographical sense, includes the Commonwealth of Puerto Rico, all Territories and possessions of the United States and the Canal Zone; except that in section 4, the term "United States" when so used shall have the meaning given to it in the Immigration and Nationality Act.

Mr. ANDERSON. Mr. President, S. 609 is virtually identical with the Atomic Weapons Rewards Act bill which was proposed last year, unanimously adopted by the joint committee and passed by the House on voice vote.

This year the bill was introduced again in both Houses and was unanimously reported by the joint committee.

Mr. President, if I may take just a moment so that the Members may have some idea of what this is about, first, let me assure you that it does not constitute an authorization for the expenditure of money which is not now presently authorized.

It does not constitute a grant of authority for the grant of an award that is not now presently authorized.

In substance it authorizes a reward of up to \$500,000 to any person who may provide information or evidence leading to the detection of an atomic weapon which has been smuggled into this country or illegally manufactured in this country.

It is unnecessary for me to call to the attention of the Senate the dire consequences of a weapon surreptitiously brought into this country. The reward of \$500,000 is a pittance in comparison with the value of the detection of the existence of such a weapon.

A board is created by this bill to pass upon the amount of the award and the entitlement to it. That board is composed of the Secretary of the Treasury, the Director of Central Intelligence, one member of the Atomic Energy Commission and the Secretary of Defense.

The one committee amendment this year was to include the words "the Commonwealth of Puerto Rico" within the definition of the United States, in order to clarify the status of that Commonwealth.

Mr. HICKENLOOPER. Mr. President, will the Senator from New Mexico yield?

Mr. ANDERSON. I yield.

Mr. HICKENLOOPER. Mr. President, I wish to join in the statement made by the Senator from New Mexico. I have been familiar with the bill for the past 2 years. I approve of what he has said, and I agree that the bill is a good bill to pass from a psychological standpoint. I hope the Senate will accept it.

Mr. ANDERSON. I thank the Senator from Iowa.

The VICE PRESIDENT. The question is on agreeing to the committee amendment.

The amendment was agreed to.

The VICE PRESIDENT. The bill is open to further amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 609) was ordered to be engrossed for a third reading, read the third time, and passed.

CAREER APPOINTMENTS IN THE COMPETITIVE CIVIL SERVICE

Mr. JOHNSON of Texas. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 580, Senate bill 1849.

The VICE PRESIDENT. The clerk will state the bill by title for the information of the Senate.

The CHIEF CLERK. A bill (S. 1849) to provide for the grant of career conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from Texas.

The motion was agreed to; and the Senate proceeded to consider the bill.

Mr. KNOWLAND. Mr. President, I understand that this bill is to be made the unfinished business.

Mr. JOHNSON of Texas. The Senator took the words out of my mouth.

Mr. President, I am prepared to yield to any Senator who wishes to make an insertion in the RECORD.

THE PROPOSED HELLS CANYON DAM

Mr. NEUBERGER. Mr. President, the largest and most influential newspaper of the intermountain West, the Denver Post, published a cogent and effective editorial on June 24, 1955, entitled "The Dilemma of the Hells Canyon Dam."

The editorial underscores the fact that even the Federal Power Commission examiner who recommended construction of a small Idaho Power Co. dam actually recognized the superior efficiency and capacity of a high Federal dam at that site.

The editorial in the Denver Post stated, quite clearly and emphatically, that—

He (the examiner) found in favor of the high Hells Canyon Dam and said it was his "inescapable conclusion that with the marked and substantial advantage of the Government's credit, the high dam would be dollar for dollar the better investment and the more nearly ideal development of the Middle Snake."

Palmer Hoyt, nationally known publisher of the Denver Post, and his able editor, Robert W. Lucas, have done a service to sound resource development both in their own Rocky Mountain region and in the Pacific Northwest by publishing this splendid editorial. I commend the editorial to some Rocky Mountain Senators, who want their own \$1,659,000,000 upper Colorado project, and yet are raising all kinds of specious and picayune objections to the \$365 million Hells Canyon project.

I ask unanimous consent to have the editorial printed at this point in the body of the RECORD.

There being no objection, the editorial was ordered to be printed in the RECORD, as follows:

THE DILEMMA OF THE HELLS CANYON DAM

A decision by William J. Costello, presiding examiner for the Federal Power Commission, in the Snake River development case puts the Department of the Interior, the Congress of the United States, and the Commission itself in a very awkward position.

We are fearful, too, that what the administration does about the problem on the Snake will be decisive with respect to the passage of the upper Colorado River and the Arkansas-Fryingpan projects—both so critical to the economic welfare of Colorado and the Rocky Mountain States.

The case involves a petition by the Idaho Power Co. to erect three low-head hydroelectric dams in the Snake where it forms the common border of Idaho and Oregon. Opponents of the petitioning company are trying to obtain congressional authorization for one huge, high-head dam at Hells Canyon, which would be built in same area.

The conflict between the two propositions has grown into a nationwide controversy between public versus private power.

In 1953 the Department of the Interior under Secretary McKay announced it was withdrawing former Secretary Chapman's objections to the private company's petition for a license to dam the Snake in Hells Canyon. The Department said it was the duty of the Federal Power Commission to referee the matter, and that the Department would abide by the Commission's decision. Speaking to the Idaho State Reclamation Association in Boise on November 4, 1953, Under Secretary Ralph A. Tudor said, "You should know that the Federal Power Commission has the right, and, I believe, the responsibility for recommending that the Federal Government go ahead with the high Hells Canyon project if, in the opinion of the Federal Power Commission, this is the proper answer."

Mr. Tudor had also said that the Department had "advised the Commission that if it should grant the license (to Idaho Power) certain restrictions should be placed on the Idaho Power Co. which would assure that their development would be adequate and would be integrated into the Northwest power pool."

In May of that year, the Department, in an official statement withdrawing its petition for intervention before the Commission on the Hells Canyon case, said: "The Department of Interior would be playing the reprehensible part of 'a dog in the manger' if it insisted on opposing a badly needed development that private capital is ready and willing to undertake if the plan proposed by the Idaho Power Co. is reasonably comparable as to results, while the Department itself has no assurance that it can carry out its plan without extended delay." The emphasis at that time was on the Idaho utility's petition to build 3 dams, Hells Canyon, Oxbow, and Brownlee.

Now, let's examine the provisions of the law fixing the jurisdiction of the Commission and setting forth its obligations in such matters. Does the examiner's decision answer the question raised by the Department of Interior? Does the decision meet the specifications of "adequacy" and "integration" so specifically demanded by the Department?

Section 7 of the Federal Water Power Act (as amended) provides that . . . "Whenever, in the judgment of the Commission, the development of any water resources for public purposes should be undertaken by the United States itself, the Commission shall not approve any application for any project affecting such development, but shall

cause to be made such examinations, surveys, reports, plans, and estimates of the cost of the proposed development as it may find necessary, and shall submit its findings to Congress with such recommendations as it may find appropriate concerning such development."

Mr. Costello sidestepped that section for his own reasons, later explained.

Section 10 of that same act directs that any plan approved for licensing by the Commission shall be such "as in the judgment of the Commission will be best adapted to a comprehensive plan for improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, for the improvement and utilization of water power development, and for other beneficial public uses, including recreation purposes."

The examiner's decision admitted that the plan accepted was not the best available.

Mr. Costello's decision, issued May 6, was in clear conflict with the statute setting forth the responsibilities of the Commission. He found in favor of the high Hells Canyon Dam and said it was his "inescapable conclusion that with the marked and substantial advantage of the Government's credit, the high dam would be dollar for dollar the better investment and the more nearly ideal development of the Middle Snake." But he recommended that a license be granted the Idaho Power Co. to build only one dam, instead of three, "because of the applicant's failure to show a market which would provide some assurance that the licensee would proceed at once with the development of all of the sites."

Mr. Costello did not turn down the utility's application. He amended it and then recommended it for license. He did not make recommendations for the more feasible and adequate Federal development as directed by statute. Why? Because, in his own words, "the likelihood of the * * * appropriation for * * * the high dam project is so remote as to make a recommendation to the Congress * * * a completely useless action."

Mr. Costello's findings of fact rejected the argument that the Snake River's flow, even in a full low-water cycle, would not fill the gigantic Hells Canyon Dam reservoir; or that future upriver irrigation would draw down the river so as to make the big dam infeasible in the future. That demolished two of the Idaho Power Co.'s principle points of opposition to the high dam. And it also spiked the fear planted in the minds of upriver irrigators that their water rights would be jeopardized by a future conflict of interests—power versus farming.

Mr. Costello accepted the cost-benefit superiority of the high dam. And he affirmed the contention of the big dam's proponents, that it was a key unit in the main control program for the whole Columbia River basin. But Mr. Costello's decision referred only to the adequacy of one dam in serving the applicant's own market, and took no account of integrating the output of three dams in the Northwest power pool.

So by reference to the Department of the Interior's own public statements as of May and November 1953, Mr. Costello's decision would permit no "reasonably comparable development of the natural resources involved" as explicitly set forth by the Department as one of "two basic questions involved." And although Mr. Costello's findings clearly imply that the private utility's plan is not the "best adapted to a comprehensive plan for improving or developing a waterway" as required for the granting of a license, the license is recommended for grant anyway. Why?

Well, Mr. Costello concluded that, in his opinion, inadequate development of the middle Snake is better than no development at all. He put it this way: "I am convinced that the nonutilization of water resources could

be in some circumstances just as short-sighted as less than maximum development."

So by tortured reasoning, by evasion of statutory responsibility and by what appears to us as an arbitrary invasion of the legislative function, Mr. Costello has contrived to justify a private utility's grab of a great power site. And then, as if his conscience were bothering him, he suggests on page 57 of his decision that, "If the Congress feels that the Commission has not performed its functions in the public interest and in accordance with the provisions of the statute, the Commission's power to issue a license may be withdrawn or suspended at any time."

We're not certain that Mr. Costello himself is to blame for this exhibit of doubletalk. But we cannot see how the Department of the Interior can accept the decision and abide by it—unless it is willing to face the charge of double-crossing the people of the Pacific Northwest. And acceptance of the findings by Congress will make a dead letter of its own Federal Water Power Act, while undermining the authority of the FPC and its future usefulness.

Mr. Costello's reference to the impact of the Supreme Court's Roanoke Rapids decision on any effort to reserve, forever, public development of a river simply because Congress, at one time, made it part of a "comprehensive plan" is well taken. But the responsibility of the Commission in view of its own examiner's findings of fact is clearly mandated in law. And the Department of the Interior—having insisted upon comparable development as a condition of licensing the private utility, will appear ridiculous if it lets the examiner's recommendations go without challenge.

ORDER FOR ADJOURNMENT

Mr. JOHNSON of Texas. Mr. President, I ask unanimous consent that upon the conclusion of its business for today, the Senate adjourn until 12 o'clock noon tomorrow.

The PRESIDING OFFICER. Without objection, it is so ordered.

ATOMIC ENERGY AGREEMENTS FOR COOPERATION

Mr. KEFAUVER. Mr. President, the Washington Atomic Energy Report, an independent weekly publication on the development of nuclear energy for civilian purposes, in its issue for June 13, 1955, contains the following statement:

The President has initiated Agreements for Cooperation with Argentina, Spain, Italy, Switzerland, Denmark, and Lebanon.

Certain information is given relative to the development of atomic energy, and reference is made to the allocation for lease to each country of six kilograms of Uranium-235 for the construction and operation of research reactors. I am certain all of us agree that this is a fine program. I understand the agreements or pacts were sent to the Joint Committee on Atomic Energy on June 13.

But, Mr. President, I do not believe that Congress should put the stamp of approval on a transaction with Dictator Peron after his mobs have slain hundreds of Argentine people whose only crime was a desire for freedom of worship.

I do not think we can afford to give prestige and backing to Mr. Peron, who has violated, as I see it, every principle of civil and religious liberty. At least, I wish to be recorded against doing so.

As I understand, the Joint Committee has 30 days from the time the agreements were submitted to Congress in which to consider and to take action on them. I hope they will be given careful consideration.

I think the matter should be thought over very seriously before any backing in this way is given to the Argentine dictator.

AMON G. CARTER

Mr. DANIEL. Mr. President, the sad news of the death of one of our greatest Texans, Amon G. Carter, came to the floor of the Senate last Friday while I was conducting hearings for a Senate Judiciary Subcommittee in New York.

Therefore, I take these few minutes today to express a word of tribute to his memory and a word of sympathy to his family and host of friends.

Mr. President, in the passing of Amon G. Carter, Texas and the Nation have lost one of the most able and patriotic citizens of our generation.

Amon G. Carter's patriotism and good citizenship began with his home town of Fort Worth. No man ever loved his city more. Few men have ever accomplished more for their city and its people than did Amon G. Carter.

I first knew Mr. Carter when I was a high school student in Fort Worth. He helped promote Boys' Week, during which Fort Worth boys were elected to and served in every city and county office. My first view of public service was as Boys' Week City Manager. Mr. Carter gave a banquet for us at the Fort Worth Club and encouraged us to take a keen interest in the processes of self-government. Later I served as a string reporter on his Fort Worth Star-Telegram. Throughout the years he inspired boys and girls to love their city and led men and women to work for it.

Lincoln once said:

I like to see a man who is proud of the place in which he lives and who so lives that the place is proud of him.

Amon G. Carter was that type of man. He was proud of the place in which he lived, and he so lived that the place and all of its people were proud of him.

Typical of men with love and loyalty for their hometown, Amon G. Carter had the same love and patriotic zeal for his State and Nation. He was generous with his time and money in many efforts to promote better government and a stronger national security.

A brief summary of the more colorful side of his life was contained in the Associated Press story announcing his death. I ask unanimous consent that the article be printed at this point in the body of the Record.

There being no objection, the article was ordered to be printed in the Record, as follows:

[From the Amarillo (Tex.) Globe-Times of June 24, 1955]

FROM DISHWASHER TO MILLIONAIRE: SUCCESS STORY, TEXAS STYLE, ENDS AS AMON G. CARTER DIES

FORT WORTH, TEX., June 24.—Amon G. Carter, who rose from poverty to become the colorful multimillionaire publisher of the Fort Worth Star-Telegram, one of the major newspapers of the United States, died last night at 75.

18. PERSONNEL. The Davis subcommittee of the Post Office and Civil Service Committee ordered reported to the full committee H. R. 3687, to permit inclusion of State service for computing the amount of annuity (p. D638).

A subcommittee of the Judiciary Committee ordered favorably reported to the full committee H. R. 2383, amended, Inventive Contributions Awards Act of 1955 (p. D637).

19. LANDS. A subcommittee of the Interior and Insular Affairs Committee approved for reporting to the full committee H. R. 4308, H. R. 4303, and S. 1177, for the relief of desert-land entrymen whose entries are dependent upon percolating waters for reclamation (p. D637).

SENATE

20. DEBT LIMIT. The Finance Committee reported without amendment H. R. 6992, to extend for 1 year the existing temporary increase in the public-debt limit (S. Rept. 688) (p. 8102).

21. POSTAL RATES. Passed with amendment S. 1292, to readjust postal classification on educational and cultural materials (pp. 8076-80).

22. WILDLIFE. Passed as reported S. 756, to authorize the appropriation of accumulated receipts in the Federal-aid-to-wildlife-restoration fund established by the Pittman-Robertson Act and to authorize the expenditure of funds apportioned by a State under such act for the management of wildlife areas and resources (p. 8082).

23. PERSONNEL. The Finance Committee reported with amendment H. R. 5560, to make permanent the existing privilege of free importation of personal and household effects brought into the U. S. under Government orders (S. Rept. 690) (p. 8102).

Passed as reported S. 1041, to provide for the inclusion in the computation of accredited service, for retirement purposes, of certain periods of service rendered States or instrumentalities of States (pp. 8075-6). The bill applies to certain Federal employees who in the past were employed on Federal-State projects financed wholly or in part by the Federal Government; it provides that such service shall be credited for retirement purposes provided: (1) the performance of such service is certified by the head of the executive department of the Federal Government which administers the law authorizing the program; (2) the employee has at least 5 years of Federal service in a position within the purview of the Act, other than in a position described in this bill, at the time of his retirement or death; and (3) the employee deposits to the credit of the civil-service retirement fund an amount equal to the sum which would have been deducted from his basic compensation had he been subject to the Civil Service Retirement Act, plus the requested interest.

As reported (see Digest 108), S. 59 makes retroactive to April 1, 1948, a 1949 amendment to the Civil Service Retirement Act extending to each retiring married female employee the privilege of naming her husband to receive a survivor annuity in event of her death, similar to the annuities which retiring male employees were able to provide for their wives through the 1948 amendment.

Passed as reported S. 1792, to amend section 10 of the Federal Employees Group Life Insurance Act of 1954, authorizing the assumption of the insurance obligations of any nonprofit association of Federal employees with its members (pp. 8100-2). The bill would make possible the continuance of the life-insurance protection held by about 135,000 Federal employees, both active and retired, as members of various nonprofit beneficial associations through an

arrangement made by the Civil Service Commission and each interested association, whereby the Employees' Life Insurance Fund would assume the insurance obligations and receive the association's assets together with future premium payments. The bill would also authorize the Commission to insure obligations so assumed with the life-insurance company now underwriting the association insurance, or with any other company which is an insurer or reinsurer under the act.

Passed without amendment S. 1849, to provide for the granting of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment (pp. 8074-5). As reported (see Digest 102), S. 1849 provides "that indefinite employees (except employees whose salary rate is fixed by the act of July 6, 1945, as amended) who are serving on the effective date of enactment in positions in the competitive service, and who were so serving on January 23, 1955, would have their indefinite appointments converted to career-conditional or career appointments if they were certified and within reach for indefinite appointment on competitive civil-service registers appropriate for indefinite appointment to jobs they held between June 30, 1950, and January 23, 1955. Determination as to whether they would receive career or career-conditional appointments would depend upon their length of service during such period of time."

24. LEGISLATIVE PROGRAM. Sen. Johnson announced that today, following the call of the calendar for unobjected-to bills, consideration will be given to the following bills: to increase the public debt limit, free importation of personal effects from abroad; conference reports on defense and D. C. appropriations if received; and that on Fri. it is hoped the military construction bill can be considered (pp. 8065-6).

BILLS INTRODUCED

25. FARM PROGRAM. H. R. 7090, by Rep. Abbitt, to "further amend the Agricultural Adjustment Act of 1938;" to Agriculture Committee (p. 8151).
26. MONOPOLIES. H. R. 7096, by Rep. Roosevelt, to amend sections 3 and 4 of the Clayton Act to free those in commerce from restraints of trade and to allow small-business men freedom of choice in the conduct of their respective businesses as independent enterprises; to Judiciary Committee (p. 8151).
27. PROPERTY. H. R. 7098, by Rep. Wilson, Calif., establishing a general policy and procedures with respect to payments to State and local governments on account of Federal real property and tangible personal property; to Interior and Insular Affairs Committee (p. 8151).
- S. 2364, by Sen. Smathers (for Sen. Kennedy), "to amend the Federal Property and Administrative Service Act of 1949, as amended;" to Government Operations Committee (p. 8068). Remarks of author (pp. 8068-9).
- S. 2368, by Sen. Smathers (for Sen. Kennedy), to add a new title relating to real property management to the Federal Property and Administrative Services Act of 1949, as amended; to Government Operations Committee (p. 8068). Remarks of author (pp. 8068-9).
28. DONATION. H. R. 7109, by Rep. Watts, to establish a system of distribution of surplus agricultural commodities to unemployed persons; to Agriculture Committee (p. 8151).
29. STORAGE. S. 2365, by Sen. Smathers (for Sen. Kennedy), extending the authority of the General Services Administration with respect to warehouses and other storage facilities operated by civilian agencies of the Government; to Government Operations Committee (p. 8068). Remarks of author (pp. 8068-9).

Yalta. With this knowledge, President Eisenhower is not going to let the same things happen in Geneva.

I have devoted a good deal of this discussion to our foreign policy because it is the key factor in our domestic program. Our spending for military defense will amount to more than \$31 billion in the next fiscal year. Many of our Federal agencies are staffed with thousands of employees as a direct result of our military needs. Foreign aid spending depends entirely upon our foreign relations policy. In virtually every field, there is a direct or indirect connection between what we do at home and our program overseas.

During the past few weeks, Congress has been concerned with the problem of Organized Military Reserves. Our National Guard units and our Army Reserve forces are often overlooked by the people of our country. I believe that we must correct this condition. In our present state of civilian unpreparedness, these men would be our secondary line of home defense along with our community police forces and fire departments in the event of any sudden attack. They would be called upon to take over vital emergency operations. Although they do not come to public attention very often they might play a major role in our security.

Foreign policy is the No. 1 item in our entire spending program. On June 3, 1955, the public debt of our Nation stood at \$273,500,000,000.

It is possible that next year's spending may touch the old permanent debt limit of \$275 billion.

Congress has been asked to raise this permanent ceiling to \$281 billion. That is a lot of money. We ought to be thinking of ways and means of reducing the debt, not increasing it. I hope that we can. But I am sure that the people of our country agree that if it takes money to preserve our freedom, we must provide the money.

There are a few favorable signs on the horizon which I should like to mention. We are never going to eliminate all of our foreign spending until our friends in Europe and elsewhere can maintain adequate military forces without help. In Europe today, a new effort is being made to create a Federal union of Western European countries.

One of France's leading public figures has just left his position as chairman of the European Coal and Steel Community. He is now campaigning for a United States of Europe. This will not be a true political union. It may lead to one some day. But right now its supporters believe they can unite for economic purposes.

A Council of Europe has been established, with Great Britain, Ireland, Denmark, Norway, Sweden, Western Germany, Turkey, Greece, Italy, and France working together. This is still a debating society, but it is designed as the framework for a European political federation at some future date. It would be overly optimistic to think of this as something that can be done in a generation or even two. But it points the way toward re-

lieving Uncle Sam of some of his tremendous financial burdens.

Whatever does this, I approve. We must begin thinking now in terms of helping our people at home. We cannot go on forever assisting nations all over the globe and forgetting our own people. We have been fortunate. Times are good. More Americans are working than ever before. We enjoy a level of prosperity unknown anywhere in world history. But the same world history teaches us that great empires have crumbled under the burden of taxation. We must plan realistically for the future of America by outlining a program to cut taxes before they shatter our great prosperity.

I hope that we may have the wisdom and the foresight to achieve this goal.

TRIBUTE TO THE MAJORITY LEADER

Mr. BIBLE. Mr. President, in this morning's mail I received the usual newsletter from the Independent Editorial Service, edited by Gen. T. A. McInerney. Included in the newsletter this morning was a very fine article on our very distinguished majority leader, the Senator from Texas [Mr. JOHNSON]. I heartily subscribe to everything in the article and I ask unanimous consent that it be printed in the RECORD.

There being no objection, the article was ordered to be printed in the RECORD, as follows:

SKILLFUL LYNDON

While the foes of bigotry are about it, they could very well try to wipe out the prejudice in this country against a southerner as President. Some people are making the long-range prediction that in 1960 LYNDON BAINES JOHNSON, of Johnson City, Tex., will be elected President of the United States on the Democratic ticket.

Their reasoning seems good, and is based upon Senator JOHNSON's record to date and probable dominance in party affairs when 1960 rolls around. There hasn't been anyone around like JOHNSON in many a moon. His skill at handling the divergent elements of his own party, and his polished ease in dealing with the Republicans have attracted the keen attention of such pundits as Arthur Krock, of the New York Times, Walter Lippmann, and Frank Kent. JOHNSON is the only Democrat Kent has spoken kindly of since Cleveland.

JOHNSON is a new-style southern statesman, in that he never has been able to bring himself to the verge of burlesque in filling his role.

He is probably the handsomest man in the Senate, except for GEORGE SMATHERS, of Florida. He dresses like a Wall Street broker, and talks with only a faint Texas accent.

He has never worn his hair long, worn a heavy watchchain, and has never roared in public with stentorian accents. As a stage southern Senator, he would be a flop, and he knows it.

He has reached the ripe age of 45, with nothing in his record but success. He has capacity, energy, and the profound gift of charting his own course and keeping his own counsel.

There has not been a majority leader of the Senate in many years with his good sense, his attractiveness or his skill. When Arthur Krock gets off his lofty perch to remark about a Senator, the man has to have something, and JOHNSON's got it.

Now, assuming that he is a logical candidate in 1960, how can the old and long-

lasting opinion that no southerner can be elected President be overcome? To begin with, JOHNSON does not advertise Texasism, which is given the same bad name as fascism in New York and elsewhere in the North.

He is a keen and nervy debater, and can hold his own with the best. He is natural, free-swinging, and able on television. His oratory is of the best. He made Ike look sad at a gridiron dinner a couple of years ago. His record in the Senate and in the House before that shows a pious regard for the general public interest and the public dollar.

Despite the pressures from special interests in Texas, he never has been known as an oil angel or a cattle savior. He has voted them as he sees them. He has a stock answer when he is importuned to vote against his views. "I can't, I just can't," he says, and the conversation is over.

JOHNSON has enough platform ability to rouse the interest of hosts of voters in the North. He has his ambitions, but does not let them run away with him—outwardly at least.

A sage, self-disciplined man, he has destiny around and in him.

THE MILITARY RESERVE

Mr. NEUBERGER. Mr. President, one of the most controversial issues to come before this Congress is the strengthening of the military Reserve through compulsory membership requirements. How long should the military have a hold on our young men after they have completed several years of active duty is a question on which I have not fully made up my mind. One of the strongest and most compelling arguments I have seen in support of a strong military Reserve was in the form of a letter to me from Mrs. Marguerite Wright, whose husband Thomas, is an officer with the 929th Field Artillery Battalion of the Army Reserve.

Mrs. Wright, the mother of three small girls, is the capable editorial assistant to former Oregon Governor Charles A. Sprague, the editor and publisher of the Oregon Statesman at Salem. Mrs. Wright was also the first co-ed ever selected to edit the Oregon Daily Emerald, official University of Oregon student newspaper.

All too frequently the important and vital contribution to national defense by the Reserve components of our military forces is overlooked and belittled. The military Reserve stands as a bastion of defense, ready to be called in time of national peril.

Mr. President, I ask unanimous consent to have printed in the body of the RECORD this excellent letter by Mrs. Marguerite Wright, of Salem, Oreg.

There being no objection, the letter was ordered to be printed in the RECORD, as follows:

SALEM, OREG., June 19, 1955.

The Honorable RICHARD L. NEUBERGER,
Senate Office Building,
Washington, D. C.

DEAR SENATOR NEUBERGER: This is Father's Day—a perfect Oregon June day, perfect for a picnic in the patio, or a family outing to the coast or to Santiam Canyon fishing lakes. But our three children are doing without their daddy today; as headquarters battery commander of the 929th Field Artillery Battalion, USAF, he's spending the day on the old firing range at Camp Adair. His Reserve unit is practicing small arms fire preparatory

to their annual 2 weeks at the Yakima Firing Center summer camp.

The children and I, and the families of Tom's fellow reservists, will again spend our summer vacations without the fathers.

But I have never heard any of the wives complain. Instead, they take a quiet pride in the fact that their men are citizen-soldiers. Quiet, I guess, because it isn't good form to talk about things like patriotism except on specially designated occasions like the Fourth of July. Sure, you hear a lot about patriotism from the professional flag-wavers and from certain politicians. But no one really takes that seriously anyway.

What is serious and what is important is how the average American thinks of his country and responds to its needs—not in pious words but in effective action. I think that the families represented in Tom's Reserve unit are about as typical a group of average Americans as you could wish.

I know them well. They are the kind of people you would want as neighbors. They work hard at their civilian jobs—businessmen, farmers, insurance men, lawyers, craftsmen, policemen, newspapermen. They pay their taxes, go to church, work in service organizations, attend PTA meetings. Most of them have children in school—the company commander has five. They take active interest in civic affairs. They vote.

Most Americans do as much. But these men do more: They give a good deal of time, energy, and talent to their Army Reserve training. They devote many evenings, some weekends, and their vacations to the proposition that, if war comes, the survival of this Nation may depend upon the readiness of a strong, well-trained, well-informed, well-disciplined Reserve.

They don't talk about it much. They kid about it; I've heard a lot of jokes about Korea, Indochina, Formosa. (This helps keep the wives up, sometimes rather breathlessly, on foreign and national affairs.) It's an American characteristic to disguise deep convictions and apprehensions behind a wisecrack and a big laugh.

No laughing matter, though good for some sarcastic chuckles, is the status of the proposed Reserve legislation in Congress. Everyone who is familiar with the problems of recruiting Reserve volunteers knows that a strong Reserve in the present atmosphere of pseudo-security is impossible without compulsory reserve requirements.

That is not because the average American is unpatriotic. But Americans have always been slow to express their patriotism in such concrete actions as joining the Armed Forces. It has always been only a small handful of dedicated men who responded voluntarily to the need. George Washington had a terrible time getting enough patriots into uniform. The enlistment troubles of the Union Army are a historical scandal. Even when the Japanese shelled the Pacific Coast, Americans had to be drafted to defend their own shores, so to speak. Once in uniform, these reluctant warriors have given good account of themselves, however, and quite forgotten that they had to be dragged under penalties of the law to perform that duty to country of which so many speak so highly so often.

The constitutional duty to bear arms in the defense of the Nation, right now, thank God, does not mean long separation from home and family and service on the battlefield. All that is required now is adequate training and preparation for future eventualities. In the Reserves that means a few evenings each month, a couple of weeks out of the year.

How very little that is to ask of any citizen of this blessed land.

But it must be asked. Senator, I hope that by your vote you will ask it.

I want my children to be especially proud of their daddy on this Father's Day because

he is off on that firing range instead of taking them to the beach. But my pride is tempered by the realization that the efforts of these few volunteer Reservists will be foolishly, tragically wasted unless the entire Reserve program is strengthened by your votes.

Very sincerely yours,
MARGUERITE WRIGHT.
(Mrs. Thomas G. Wright, Jr.).

CAREER APPOINTMENTS IN THE COMPETITIVE CIVIL SERVICE

Mr. JOHNSON of Texas. Mr. President, if morning business is concluded, I ask unanimous consent that the Senate proceed to the consideration of the unfinished business.

The VICE PRESIDENT. The Chair lays before the Senate the unfinished business, which is S. 1849.

The Senate resumed the consideration of the bill (S. 1849) to provide for the grant of career conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

Mr. JOHNSTON of South Carolina. Mr. President, S. 1849 provides that certain indefinite employees who are serving in the competitive civil service would have their status changed from indefinite to permanent. The Civil Service Commission estimates that a maximum of 10,000 employees would be involved.

The only employees involved are those who took a regular civil service examination and were eligible for a regular appointment that would have given them permanent status but who were not so appointed because they were already working for the Government.

The irony of the situation is that if these employees had resigned their positions with the Government and then turned around and accepted a different position with the Government they would now have permanent status. The committee does not believe that a technicality of this kind should serve to deprive these employees of the status to which they are entitled.

Following are two typical examples of the type of cases that would be corrected under S. 1849:

First, John Doe took the regular civil-service examination for the position of organization and methods examiner. He passed the examination and was placed on the register for appointment. An agency of the Government sent him an offer of appointment. When he reported, the organization and methods job had been filled by promotion from within. However, the agency offered him an appointment as a statistical clerk. He accepted the offer. Sixty days later he was transferred from the position of statistical clerk to the position for which he was originally recruited. Had he been appointed directly to the latter position, he would now have permanent status. He could have resigned and been reappointed and he would now have permanent status. However, under existing rules of the Civil Service Commission, he is still an indefinite employee and will not obtain a permanent status.

S. 1849 will give this employee the status to which he is entitled.

Second, Helen Roe worked for the Army as a stenographer. Her appointment was indefinite and was not made from a regular register. She took a prescribed civil service examination and was offered a position with another agency. The agency where she was employed persuaded her to remain in her job. They talked her out of resigning to go with another agency. Had she not stayed with the Army—if she had resigned to accept the job with the other agency—she would now have permanent status. Because she didn't resign and take the other offer she is still indefinite.

S. 1849 would give the employee permanent status.

Mr. President, S. 1849 is not a blanket-in proposition. It is a measure to correct an inequity. It should be enacted.

The VICE PRESIDENT. The bill is open for amendment.

Mr. CARLSON. Mr. President, as stated by the distinguished Senator from South Carolina [Mr. JOHNSTON], the bill received favorable consideration by the membership of the committee, and is before the Senate for action. I think it is well to point out, however, that the Civil Service Commission does not favor the enactment of the bill. The chairman of the committee has well presented some of the inequities to be corrected by the bill, but I think it is only fair to say that in making these corrections, other inequities may be created.

I should like to quote one or two sentences from the report of the Civil Service Commission in a letter dated June 14, 1955, addressed to the chairman of the committee. I read from the sixth paragraph of the letter in which the effects of the bill are discussed:

There are many other employees, however, with claims to consideration that may be equal to or greater than those of employees who would be covered by the bill.

I read another sentence from the same paragraph:

There are, for example, employees who failed to apply for examinations announced by the Commission for indefinite appointment because they were already serving in the same type of job, at the same grade, and under the same type of indefinite appointment made without competitive examination. There was no advantage to such employees to apply at the time, but if they had applied they might later have become eligible for conversion under Executive Order 10577. Some of these employees have undoubtedly had longer service than many employees who would be covered by S. 1849.

Mr. President, I think it is recognized by every member of the committee that there is merit in the bill as reported by the committee. I believe it will correct some inequities, but I did not want the Senate to pass the bill without my stating that it will create other inequities.

I should like to quote further from the letter of the Civil Service Commission with reference to the proper way to take care of the situation:

In our opinion, the only practicable way to recognize all of the equities of indefinite employees who are not converted under Executive Order 10577 would be to blanket

into the competitive service all such indefinite employees without regard to their standing on competitive registers. The Commission is not in favor, however, of conferring competitive status on employees who have not earned it as a result of meeting the competitive requirements of the civil-service laws, rules, and regulations except where sound public policy dictates such action.

Mr. President, I am supporting the bill today, but I did not want it to pass the Senate without directing the attention of the Senate to the fact that there will be some inequities resulting from its passage. It may create some greater inequities. I sincerely hope those employees who are covered herein will benefit if the bill becomes law.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to thank the Senator from Kansas for his statement, and also to invite the attention of the Senate to the fact that the Civil Service Commission converted approximately 400,000 employees without too much difficulty, and the bill involves only 10,000 employees. I realize that the bill will not clear up all the inequities, but it will do a great deal of good.

Mr. President, I should like to read what the Comptroller General of the United States said in reference to the bill:

We feel that the bill would be beneficial upon the morale of the involved employees, and it would seem that the satisfactory performance of their duties in their respective positions for the period covered by the bill would amply demonstrate their qualifications for permanent appointments.

The PRESIDING OFFICER (Mr. NEUBERGER in the chair). The bill is open to amendment. If there be no amendment to be proposed, the question is on the engrossment and third reading of the bill.

The bill (S. 1849) was ordered to be engrossed for a third reading, read the third time, and passed, as follows:

Be it enacted, etc., That each employee (a) who on the effective date of this act is serving under an indefinite appointment in a position in the competitive civil service other than a position whose salary rate is fixed by the act of July 6, 1945 (59 Stat. 435), as amended, and was so serving on January 23, 1955, and (b) who between June 30, 1950, and January 23, 1955, was certified and within reach for consideration for indefinite appointment from a competitive civil-service register appropriate for filling a position in which he served between such dates shall have his indefinite appointment converted as of the effective date of this act to a career-conditional appointment, or a career appointment, as determined appropriate under the civil-service regulations applied in conversions under section 201 of Executive Order 10577 of November 22, 1954.

SEC. 2. Each individual who between January 23, 1955, and the effective date of this act was separated from the service without cause and who otherwise would have been eligible for conversion under section 1 of this act shall be eligible for reinstatement within 2 years of the effective date of this act, under career-conditional or career appointment in the competitive civil service in a position for which qualified.

SEC. 3. The United States Civil Service Commission is authorized and directed to promulgate regulations for the administration and enforcement of this act.

SEC. 4. This act shall take effect 90 days from the date of enactment.

INCLUSION OF FEDERAL-STATE SERVICE IN RETIREMENT COMPUTATION

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 511, Senate bill 1041.

The PRESIDING OFFICER. The clerk will state the bill by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1041) to amend the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States or instrumentalities of States, and for other purposes.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill which had been reported from the Committee on Post Office and Civil Service with amendments on page 4, line 13, after the word "this", to strike out "Act." and insert "Act;"; after line 13, to insert:

(D) such period of service is excluded from credit for the purposes of any annuity received by such officer or employee from a State.

After line 16, to strike out:

If the annuity computed under this act of any individual entitled to the benefits of this paragraph, when combined with any annuity received by him from a State, exceeds an amount equal to 80 percent of the highest average annual basic salary, pay, or compensation received by such individual during 5 consecutive years of allowable service under this act (including service allowed by this paragraph), the annuity payable under this act shall be so reduced that the aggregate amount received from such annuities shall not exceed an amount equal to 80 percent of such highest average annual basic salary, pay, or compensation.

On page 5, after line 4, to strike out:

SEC. 2. The first paragraph of section 6 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by adding at the end thereof the following: "Such time limitation may also be waived by the Civil Service Commission in the case of an officer or employee who failed to file the required application for retirement within the prescribed time limit because at the date of separation from service the position he was occupying was not considered to be within the purview of this act, but the application in such case must be filed with the Civil Service Commission not later than 6 months after the determination that such position is within the purview of this act, except that in the case of any such person heretofore separated from service, application may be filed within 6 months after the date of the enactment of this sentence."

After line 19, to insert:

SEC. 2. The annuity of any person who shall have performed service described in the second paragraph of section 5 of the Civil Service Retirement Act of May 29, 1930, as added by this act, and who before the date of enactment of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, section 8 (a) of the act of June 16, 1933, or the act of May 29, 1930, as amended, shall, upon application filed by such person within 1 year after the date of enactment of this act and compliance with the conditions prescribed by

such second paragraph, be adjusted, effective as of the first day of the month following the date of enactment of this act, so that the amount of such annuity will be the same as if such paragraph had been in effect at the time of such person's retirement.

So as to make the bill read:

Be it enacted, etc., That section 5 of the Civil Service Retirement Act of May 29, 1930, as amended, is amended by inserting after the first paragraph thereof the following:

"Subject to the conditions contained in this paragraph, there shall be included, in determining for the purposes of this act the aggregate period of service rendered by an officer or employee who is serving in a position within the purview of this act (other than a position described in this paragraph) at the time of his retirement or death, all periods of service rendered by him as an employee of a State, or any instrumentality thereof, exclusively or primarily in the carrying out of—

"(1) the program of a State Rural Rehabilitation Corporation created for the purpose of handling rural relief the funds for which were made available by the Federal Emergency Relief Act of 1933 (48 Stat. 55), the act of February 15, 1934 (48 Stat. 351), and the Emergency Appropriation Act, fiscal year 1935 (48 Stat. 1055), and any laws or parts of laws amendatory of, or supplementary to, such acts;

"(2) the Federal-State cooperative program of agricultural experiment stations research and investigation authorized by the act of March 2, 1887, as amended and supplemented (7 U. S. C., ch. 14);

"(3) the Federal-State cooperative program of vocational education authorized by the act of February 23, 1917, as amended and supplemented (20 U. S. C., ch. 2);

"(4) the Federal-State cooperative program of agricultural extension work authorized by the act of May 8, 1914, as amended and supplemented (7 U. S. C., secs. 341-348);

"(5) the Federal-State cooperative program of forest and watershed protection authorized by section 2 of the act of March 1, 1911 (16 U. S. C., sec. 563), and by the act of June 7, 1924, as amended and supplemented (16 U. S. C., secs. 564-568b);

"(6) the Federal-State cooperative program for the control of plant pests and animal diseases authorized by the provisions of law set forth in chapters 7 and 8 of title 7 and in section 114a of title 21 of the United States Code.

The period of any service specified in this paragraph shall be included in computing length of service for the purposes of this act of any officer or employee only upon compliance with the following conditions:

"(A) the performance of such service is certified, in a form prescribed by the Civil Service Commission, by the head, or by a person designated by the head, of the department, agency, or independent establishment in the executive branch of the Government of the United States which administers the provisions of law authorizing the performance of such service;

"(B) the officer or employee shall have to his credit a total period of not less than 5 years of allowable service under this act, exclusive of service allowed by this paragraph;

"(C) the officer or employee shall have deposited with interest at 4 percent per annum to December 31, 1947, and 3 percent per annum thereafter, compounded on December 31 of each year, to the credit of the civil-service retirement and disability fund a sum equal to the aggregate of the amounts which would have been deducted from his basic salary, pay, or compensation during the period of service claimed under this paragraph if during such period he had been subject to this act;

"(D) such period of service is excluded from credit for the purposes of any annuity received by such officer or employee from a State.

"As used in this paragraph the term 'State' includes Alaska, Hawaii, and Puerto Rico."

SEC. 2. The annuity of any person who shall have performed service described in the second paragraph of section 5 of the Civil Service Retirement Act of May 29, 1930, as added by this act, and who before the date of enactment of this act shall have been retired on annuity under the provisions of the act of May 22, 1920, as amended, section 8 (a) of the act of June 16, 1933, or the act of May 29, 1930, as amended, shall, upon application filed by such person within 1 year after the date of enactment of this act and compliance with the conditions prescribed by such second paragraph, be adjusted, effective as of the first day of the month following the date of enactment of this act, so that the amount of such annuity will be the same as if such paragraph had been in effect at the time of such person's retirement.

Mr. JOHNSTON of South Carolina. Mr. President, S. 1041 amends the Civil Service Retirement Act of May 29, 1930, as amended, to provide for the inclusion for retirement purposes of certain periods of Federal-State service not now creditable.

The bill applies to certain present Federal employees who at some time in the past were employed on Federal-State projects financed wholly or in part by the Federal Government. S. 1041 provides that such service shall be credited for retirement purposes provided:

First. The performance of such service is certified by the head of the executive department of the Federal Government which administers the law authorizing the program;

Second. The employee has at least 5 years of Federal service in a position within the purview of the act, other than in a position described in this bill, at the time of his retirement, or death; and

Third. The employee deposits to the credit of the civil-service retirement fund an amount equal to the sum which would have been deducted from his basic compensation had he been subject to the Civil Service Retirement Act plus the requested interest.

This means they will pay the amount of the principal plus about 4 percent interest since the date the amount was due. If they decide to withdraw from the retirement fund, they will be repaid the amount paid in plus 3 percent—a difference of 1 percent.

The bill relates to the following services and employees:

Extension Service.....	2,500
Soil conservation.....	1,400
Farmers' Home Administration.....	600
Agricultural research.....	450
Other agricultural programs.....	150
Total	5,100

Hearings developed the fact that employees in these programs work side by side doing the same kind of work, yet because of a technicality as to their different types of appointment some receive credit for retirement purposes and others do not. S. 1041 will remove the inequity that now exists by making all such service potentially creditable for retirement.

This right must be exercise; it is not compulsory.

Mr. CARLSON. Mr. President, the bill under consideration, S. 1041, which was reported favorably by the committee, is similar to S. 496 which I introduced on January 18, 1955. It seems to me that the persons who are covered by the bill are fairly entitled to an opportunity to receive the benefits of the retirement system, as has been stated by the chairman of the committee. I urge that the Senate approve the proposed legislation.

The individuals concerned are persons who served for many years in various capacities in State governments, but have been unable to take advantage of their years of service under the agricultural and other joint programs. Therefore, I not only endorse the bill, but I urge its passage by the Senate.

Mr. STENNIS. Mr. President, to my mind, the bill represents the final consummation, in a way, of long delayed justice to a number of agricultural workers who many years ago were, in effect, on the rolls of the Department of Agriculture. They were rendering their services by doing pioneer work, so to speak, back in the so-called lean days of the varied agricultural programs. Through oversight and misunderstanding, or perhaps neglect on the part of those in authority, the names of the persons involved were not carried on the civil-service rolls in such a way as to make them eligible for certain benefits which accrued to all the other workers, some of whom even sat at desks beside the ones who will be cared for by the bill.

I know something about the subject matter of the bill because many of those whom it affects are persons in my own State, whom I have known personally for a number of years. I knew them when they were doing the pioneer work for small salaries and were pulling against the grain in establishing the programs. Many of them did the real groundwork on which the vast agricultural programs of today were built and are resting.

I think it would be a tragic miscarriage of elemental justice for Congress, not as a matter of favoritism, but as a matter of fundamental right, to fail to include these persons, who worked in the Federal-State service, and to make them eligible for the benefits after they have paid, with interest, the full amount which is due.

I do not want this to be done at the sacrifice of the soundness of the plan or program, but I am fully convinced that the elemental and fundamental principles of justice and right will be neglected and carelessly cast aside unless a bill of this kind shall be passed.

I congratulate the committee for having been able to prepare a bill, not on a generous basis at all, but on a fair basis of right and justice.

Mr. CARLSON. Mr. President, will the Senator yield?

Mr. STENNIS. I yield.

Mr. CARLSON. I wish to compliment the junior Senator from Mississippi on his statement about the merits of including these persons, who have labored

long and hard in many State agencies. As he has well said, this is not something which we are giving to them, because they will have to contribute the back costs in order to come under the program. But, in my opinion, the bill will provide the same entitlement they should have had years ago. Under these conditions, I think the bill is just and fair.

Mr. STENNIS. Mr. President, as I understand, the bill would merely make it possible to correct an unfortunate situation which developed in the early days, when records were not kept as they are now. It would accord justice to the worker at desk B, who sat alongside an employee at desk A, who was covered. Both were doing virtually the same type of work, but the worker at desk A had previously received all the benefits of the program, while the worker at desk B has been excluded.

Mr. JOHNSTON of South Carolina. Mr. President, I wish to commend the Senator from Mississippi and the Senator from Kansas for their remarks.

Mr. STENNIS. I appreciate the interest of the Senator from South Carolina in the matter. What I have said, in thumbnail sketch, relates to the justice of the case, as I see it.

The PRESIDING OFFICER. The question is on agreeing to the committee amendments.

The amendments were agreed to.

The PRESIDING OFFICER. The bill is open to further amendment. If there be no further amendment, the question is on the engrossment and third reading of the bill.

The bill was ordered to be engrossed for a third reading, read the third time, and passed.

READJUSTMENT OF POSTAL CLASSIFICATION ON EDUCATIONAL AND CULTURAL MATERIALS

Mr. BIBLE. Mr. President, I move that the Senate proceed to the consideration of Calendar No. 521, Senate bill 1292.

The PRESIDING OFFICER. The bill will be stated by title for the information of the Senate.

The LEGISLATIVE CLERK. A bill (S. 1292) to readjust postal classification on educational and cultural materials.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Nevada.

The motion was agreed to; and the Senate proceeded to consider the bill, which had been reported from the Committee on Post Office and Civil Service with amendments.

Mr. CARLSON. Mr. President, I wonder if the distinguished chairman of the committee would be willing to have a quorum call now. I believe some Senators feel they should be advised when the bill is under consideration. I have no personal desire for a quorum call, but I think it might be well to have one for the benefit of other Senators. Therefore, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

84TH CONGRESS
1ST SESSION

S. 1849

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1955

Referred to the Committee on Post Office and Civil Service

AN ACT

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, each employee (a) who on the effective date of this
4 Act is serving under an indefinite appointment in a position
5 in the competitive civil service other than a position whose
6 salary rate is fixed by the Act of July 6, 1945 (59 Stat.
7 435), as amended, and was so serving on January 23,
8 1955, and (b) who between June 30, 1950, and January
9 23, 1955, was certified and within reach for consideration

1 for indefinite appointment from a competitive civil-service
2 register appropriate for filling a position in which he served
3 between such dates shall have his indefinite appointment
4 converted as of the effective date of this Act to a career-
5 conditional appointment, or a career appointment, as deter-
6 mined appropriate under the civil service regulations applied
7 in conversions under section 201 of Executive Order 10577
8 of November 22, 1954.

9 SEC. 2. Each individual who between January 23, 1955,
10 and the effective date of this Act was separated from the
11 service without cause and who otherwise would have been
12 eligible for conversion under section 1 of this Act shall be
13 eligible for reinstatement within two years of the effective
14 date of this Act, under career-conditional or career appoint-
15 ment in the competitive civil service in a position for which
16 qualified.

17 SEC. 3. The United States Civil Service Commission is
18 authorized and directed to promulgate regulations for the
19 administration and enforcement of this Act.

20 SEC. 4. This Act shall take effect ninety days from the
21 date of enactment.

Passed the Senate June 29, 1955.

Attest:

FELTON M. JOHNSTON,

Secretary.

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2012 2/14/12

AN ACT

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

JUNE 30, 1955

Referred to the Committee on Post Office and Civil
Service

15. MARKETING. The Agriculture Committee reported with amendment S. 1757, providing penalties for violations of grade marking standards of products in interstate commerce under the Agricultural Marketing Act (H. Rept. 1468) (p. 10133).
16. EXTENSION WORK. The Agriculture Committee reported with amendment S. 2098, authorizing appropriations to be used for agricultural extension work for special circumstances in regard to low-income farmers (H. Rept. 1409) (p. 10134).
17. RICE. The Agriculture Committee reported with amendment H. R. 7367, providing that the 1956 national acreage allotment on rice shall be established which is less than 85% of the final allotment established for the immediately preceding year (H. Rept. 1462) (p. 10133).
18. FARM LABOR. Received the conference report on H. R. 3822, which provides a $3\frac{1}{2}$ year extension (until June 30, 1959) of the Mexican farm-labor program, relieves employers of double liability for the cost of returning a worker to Mexico where the employer has paid once for such movement but the Mexican does not return and is later apprehended, and specifies that the Secretary of Labor is to obtain information on the availability of domestic workers, prevailing wage rates, and labor shortages in the area, and then post publicly the number of workers to be imported (H. Rept. 1499) (pp. 10090-1).
19. COMMODITY CREDIT CORPORATION. Received the conference report on H. R. 2851, authorizing the distribution of agricultural commodities owned by the CCC to persons in need in areas of acute distress (H. Rept. 1450) (p. 10091). The bill authorizes the Secretary of Agriculture, until June 30, 1957, upon request of a State Governor, to distribute to a central point in the State concerned, wheat flour and corn meal owned by the CCC using Sec. 32 funds limited to \$15 million a year.
20. WATER RESOURCES. Received the conference report on H. R. 3990, to authorize the Secretary of the Interior to investigate and report to the Congress on projects for the conservation, development, and utilization of the water resources of Alaska (H. Rept. 1447) (p. 10089).
21. ROADS. Rejected, by a vote of 123 to 292, H. R. 7474, the Federal-aid highway construction bill (pp. 10091-10122). The House had previously rejected a motion to recommit the bill by a vote of 193 to 221. The Dondero substitute, to enact the President's road program, was rejected by a vote of 178 to 184. During the debate on the bill, Rep. Gavin criticized the farm leaders of the House on their concept of "fiscal responsibility" in regard to farm subsidies and price supports. Rep. Jones, Ala., offered an amendment which was accepted, preventing the use of highway construction funds to reimburse utilities for relocation of their lines when in conflict with the construction program; and during debate on this amendment there was discussion of the extent to which it would have benefited REA cooperatives.
22. FOREIGN AID. Received the conference report on H. R. 7224, the mutual security appropriation bill (H. Rept. 1501) (pp. 10122-3).
23. DEFENSE PRODUCTION. The Rules Committee reported a resolution for the consideration of H. R. 7470, to amend the Defense Production Act (p. 10124).
24. FARM-CITY WEEK. A subcommittee of the Judiciary Committee ordered reported to the full committee H. J. Res. 317, designating the last week in October of each year as National Farm-City Week (p. D796).

25. SURPLUS GRAINS. Rep. Reuss criticized the Interior Department for allegedly "winking at duck-baiting violations," and suggested that deteriorated surplus grains owned by the CCC should be used for wildlife feeding purposes (pp. 10128-9).

26. PERSONNEL. The Post Office and Civil Service Committee reported with amendments the following bills: H. R. 7618, to amend Sec. 8 of the Civil Service Retirement Act (H. Rept. 1473); and S. 1849, to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment (H. Rept. 1498) (pp. 10133-4).

The Post Office and Civil Service Committee ordered reported H. R. 3255, to amend the Classification Act of 1949, to prevent loss of salary after an employee has held a position for more than 2 years (p. D796).

The Post Office and Civil Service Committee announced the appointment of the following investigative subcommittees under authority of H. Res. 304: Subcommittee on Manpower Utilization and Departmental Personnel Management (Rep. Davis, Ga., Chairman), and Subcommittee on Civil Service Commission and Personnel Programs (Rep. Morrison, Chairman) (p. D796).

A subcommittee of the Judiciary Committee ordered reported to the full committee claims of Federal employees for the recovery of fees, salaries, or compensation (p. D796).

27. PROPERTY. The Government Operations Committee reported without amendment H.R. 6182, to make temporary provision for making payments in lieu of taxes with respect to certain real property transferred by the Reconstruction Finance Corporation and its subsidiaries to other Government departments (H. Rept. 1453) (p. 10132).

The Government Operations Committee reported with amendment H. R. 7227, to authorize the disposal of surplus property for civil defense purposes, and to provide that certain Federal surplus property be disposed of to State and local civil defense organizations which are established by or pursuant to State law (H. Rept. 1455) (p. 10133).

28. MINIMUM WAGE. The conferees on S. 2168, to amend the Fair Labor Standards Act of 1938 so as to provide for an increase to \$1 of the minimum wage provisions, agreed to file a conference report (p. D797).

29. RECLAMATION; ELECTRIFICATION. The Public Works Committee reported with amendment H. R. 7195, to provide for the reconveyance of lands in certain reservoir projects in Texas to the former owners (H. Rept. 1461) (p. 10133).

The Interior and Insular Affairs Committee reported without amendment H.R. 1603, to terminate the prohibition against employment of Mongolian labor in the construction of reclamation projects (H. Rept. 1502) (p. 10134).

The Aspinall subcommittee of the Interior and Insular Affairs Committee approved for reporting to the full committee H. R. 4719, to authorize construction and maintenance of the Hells Canyon Dam (p. D795).

30. MINERALS. The Interior and Insular Affairs Committee reported with amendments H. R. 6994, to provide for entry and location, on discovery of a valuable source material upon public lands of the U. S. classified as or known to be valuable for coal (H. Rept. 1478) (p. 10133).

31. LEGISLATIVE PROGRAM. The Majority Leader scheduled consideration of H. R. 6455, the natural gas bill, for July 28. When questioned about House adjournment, the Majority Leader replied, "I would say we can reasonably expect to do so (adjourn) by next Tuesday or Wednesday. That would be my best guess." (p. 10124.)

CONVERSION OF INDEFINITE APPOINTMENT TO CAREER- CONDITIONAL OR CAREER APPOINTMENT

JULY 27, 1955.—Committed to the Committee of the Whole House on the State
of the Union and ordered to be printed

Mr. ALEXANDER, from the Committee on Post Office and Civil Service,
submitted the following

R E P O R T

[To accompany S. 1849]

The Committee on Post Office and Civil Service, to whom was referred the bill (S. 1849) to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment, having considered the same, report favorably thereon with amendments and recommend that the bill (S. 1849) as amended, do pass:

The amendments are as follows:

(1) Strike all after the enacting clause and insert the language printed in italics in the reported bill;

(2) The title is amended to read as follows:

An act to provide for the granting of career-conditional and career appointments to certain qualified employees.

PURPOSE

Bill S. 1849, as amended, provides authority for the granting of career or career-conditional appointments to indefinite employees of the Federal Government and the Government of the District of Columbia. It is designed to correct the thousands of inequities resulting from the provisions of Executive Order No. 10577 dated November 22, 1954.

EXPLANATION OF AMENDMENTS

Following is a section-by-section analysis of the amended provisions to S. 1849:

Section 1 of the amendment authorizes the granting of career-conditional or career appointments to employees who—

(1) On the effective date of this act is serving in an indefinite or temporary appointment (except in the postal field service);

(2) Who was serving in a position in the competitive civil service on January 23, 1955 (the effective date of Executive Order 10577);

(3) Who served in a position or positions in the competitive civil service between January 23, 1955, and the effective date of this act;

(4) Has passed a qualifying examination or within 1 year passes a noncompetitive qualifying examination; and

(5) Has completed 3 years of satisfactory service in a position or positions in the competitive civil service.

This section also requires that before an individual can be considered for conversion to career status he must make application for such through the department or agency where he is employed and that the agency concerned must recommend him for conversion to status.

Section 2 grants authority to the Department of Corrections of the District of Columbia to grant career-conditional or career appointments to certain employees in institutions under its jurisdiction. The requirements for making these appointments are similar to those provided under section 1 of the act.

Section 3 authorizes the granting of a career-conditional or a career appointment to employees who were separated during the period from January 23, 1955, and the effective date of this act, for reasons other than cause, at such time as they are reemployed by the Government. This section provides that these employees must meet the same standards as set forth in section 1 of the act if their reappointment is to be career-conditional or career.

Section 4 grants standard authority to the United States Civil Service Commission to issue rules and regulations necessary to the administration of this act.

Section 5 maintains the ceiling on permanent appointments in the Federal Government established under section 1310 of the Supplemental Appropriations Act of 1952, as amended (Whitten amendment).

Section 6 established an effective date, which is 90 days after the date of enactment. This 90 days is necessary in order to allow the Civil Service Commission time in which to promulgate the necessary rules and regulations for its administration.

The title of the act is amended to bring it into conformity with the amended provisions.

STATEMENT

A new appointment system was put into effect by the Civil Service Commission on January 23, 1955. The new system is designed to accomplish two primary objectives: First, to establish a stable yet flexible appointment system for the long-range future and, secondly, to eliminate the emergency procedures established under the Whitten amendment. The system sets up a new kind of civil-service appointment called career-conditional. This type of appointment will generally be given to persons appointed from registers of eligibles set up through open competitive examinations. The first year of service is a probationary period which is considered an integral part of the

examination. After completion of probation, the employee acquires competitive status. After 3 years, the employee acquires a full career status.

When the new system went into effect, some 220,000 indefinite employees, who entered the Government service on a competitive basis and who had 3 years or more of service, were converted to "career status" employees. An additional 235,000 indefinites, who also entered the Government service on a competitive basis but who had less than 3 years' service, were converted to "career-conditional." These employees will acquire full career status as soon as they complete the necessary 3 years of service.

The objectives of the new system are commendable, and from the standpoint of both the Government and the 455,000 indefinite employees who were converted to career or career-conditional were excellent. However, there are a number of indefinite employees who were not so converted and who should be if they are to be accorded equal recognition of their qualifications.

The employees who have suffered due to the inequities established by Executive Order 10577 are those who either passed a qualifying civil-service examination and were not referred for appointment, or did not take a civil-service examination due to the fact that they were discouraged from doing so either by the Civil Service Commission or by the agency concerned. There are others who did not take the examination due to the fact that they had already received an indefinite appointment and to take an examination at the time would not have resulted in any additional benefits.

The committee believes that these employees, if they have served satisfactorily for a number of years, have equal rights to career or career-conditional status as did those indefinite employees converted under Executive Order 10577.

In its report on S. 1849 to the Committee on Post Office and Civil Service of the Senate, the Civil Service Commission makes the following statement:

* * * It [S. 1849] therefore recognizes the equities of certain employees whose conversions were not authorized by Executive Order 10577. There are many other employees, however, with claims to consideration that may be equal to or greater than those of employees who would be covered by the bill. Some of these groups are described in my letter of April 25. There are, for example, employees who failed to apply for examinations announced by the Commission for indefinite appointment because they were already serving in the same type of job, at the same grade, and under the same type of indefinite appointment made without competitive examination. There was no advantage to such employees to apply at the time, but if they had applied they might later have become eligible for conversion under Executive Order 10577. Some of these employees have undoubtedly had longer service than many employees who would be covered by S. 1849. * * *

* * * The Commission has been unable to find a feasible way within competitive principles to distinguish clearly all those employees who have some claim to consideration from those employees who have no equity at all; that is, employees who had no intention of applying for competitive examinations, or if they had applied would not have been within reach for appointment on the registers. We decided that to take action to authorize the conversion of only those employees for whom it might be practicable to reconstruct the situation in order to determine their full equities would result in creating further inequities for the many employees for whom such a reconstruction would be infeasible or impossible. We gave consideration to proposing an amendment to Executive Order 10577 authorizing the conversion of the same group of indefinite employees who would be covered by S. 1849. We decided against such action principally because it would

create many further inequities for other groups that would not be covered. * * *

* * * In our opinion, the only practicable way to recognize all of the equities of indefinite employees who are not converted under Executive Order 10577 would be to blanket into the competitive service all such indefinite employees without regard to their standing on competitive registers. The Commission is not in favor, however, of conferring competitive status on employees who have not earned it as a result of meeting the competitive requirements of the civil-service laws, rules, and regulations except where sound public policy dictates such action. * * *

* * * In view of the fact that S. 1849 would cover only some indefinite employees who have equities and would therefore create inequities for many employees not covered but who have equal or better claims to consideration, we are not in favor of its enactment.

The committee sincerely feels the provisions of S. 1849, as amended, overcomes all objections of the Civil Service Commission, is in the public interest, and will result in the correction of practically all inequities resulting from Executive Order 10577.

3 YEARS OF SATISFACTORY SERVICE

The committee feels that if an employee has had at least 3 years of satisfactory service in competitive positions in the Government that this experience should be given material consideration in qualifying him for career status. The committee considers the service as being satisfactory if the employee has performed in one or more positions in a satisfactory manner and, at the time of his application for conversion to status, is still satisfactorily performing the duties assigned to him.

QUALIFYING EXAMINATIONS

Although the committee considered 3 years' satisfactory service as being prima facie evidence of qualification for a job, it still believed that some form of examination should be required if the general principle of the merit system is to be complied with. The amended act therefore requires that individuals being considered for conversion to career status must either have passed a qualifying examination, or must pass a noncompetitive qualifying examination.

The type of noncompetitive qualifying examination is left to the discretion of the Civil Service Commission. However, the committee recommends that judicious consideration be given to adjusting these examinations to closely meet the actual requirements of the position involved. In this the committee does not intend to suggest a breakdown in the examination standards of the Civil Service Commission but does believe that some additional consideration and practical reasoning should be given to examinations for certain types of positions where experience as an occupant of the position rather than written tests should prevail.

APPLICATION

In requiring that the individual make application through the agency by which he is employed, the committee recognizes that it is impossible for the Civil Service Commission or the agency to administratively search out those individuals who might be qualified under the provisions of this act. The committee suggests that an application form be designed which will be readily available to the indefinite employees, and will contain spaces for furnishing pertinent information

which will allow the agency and the Civil Service Commission to make a decision on the case without too great delay.

AGENCY RECOMMENDATION

The committee recognizes that there are some employees who over the years have for reasons unknown maintained a satisfactory employment record, but who are not actually satisfactory employees. It has therefore provided a requirement that the agency make recommendation on each application for conversion. The committee cautions the departments and agencies concerned to give due and valid consideration to each application and to prevent insofar as is possible any showing of favoritism on the part of supervisors or officials in the making of these recommendations.

The agency is also cautioned to refuse favorable recommendation to those employees who are not performing or have not performed satisfactory service. In those cases where a favorable recommendation is refused by the department or agency, a written statement as to the reasons why should be furnished to the employee and placed in the permanent record of such employee.

REINSTATEMENTS

During the period since January 25, 1955 (effective date of Executive Order 10577), there have been a number of employees separated due to reduction-in-force or other reasons beyond their control. In order to accord the employee so separated equal opportunity to attain career conditional or career status, the committee has placed provisions in the act which will authorize their reinstatement (within 2 years) with status appointments if they meet the same requirements as those indefinite employees who have been fortunate enough to retain their employment.

DEPARTMENT OF CORRECTIONS—DISTRICT OF COLUMBIA GOVERNMENT

A condition of employment exists in certain institutions of the Department of Corrections of the District of Columbia government which makes it necessary to include special provisions in the act to accord to some 250 employees the same benefits as are accorded to other indefinite employees of the Government. The condition of employment resulted from the continuance of war indefinite appointments and appointments made outside of the civil-service rules and regulations during periods in which there was controversy as to the civil-service requirements as they applied to this Department. The provisions of section 2 of the act correct the inequities as they now exist.

It is the view of the committee that the provisions of this act, as amended, are fair and equitable and that it is an act that will result in a much higher morale and more efficient service throughout the Government. It believes that the requirements of 3 years of satisfactory service plus an examination completely satisfies the principal requirements of the merit system and that its coverage is as broad as can be justified. Those indefinite employees who have been appointed at a recent date are not included in the bill. However, the committee feels that there is no discrimination in this area as they have not com-

pleted a sufficient period of satisfactory service or met qualifications standards of the merit system. It is estimated that there are some fifteen to twenty thousand of these newly employed individuals.

COST

There is no cost involved in this legislation. Its purpose is merely to convert one type of appointment to another, thereby eliminating inequities in treatment. The committee considers it highly desirable that it be enacted at this time if the provisions of Executive Order 10577 are not to continue to discriminate against some 50,000 loyal and qualified employees of the Government.



84TH CONGRESS
1ST SESSION

S. 1849

[Report No. 1498]

IN THE HOUSE OF REPRESENTATIVES

JUNE 30, 1955

Referred to the Committee on Post Office and Civil Service

JULY 27, 1955

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

[Strike out all after the enacting clause and insert the part printed in italic]

AN ACT

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That, each employee (a) who on the effective date of this
4 Act is serving under an indefinite appointment in a position
5 in the competitive civil service other than a position whose
6 salary rate is fixed by the Act of July 6, 1945 (59 Stat.
7 435), as amended, and was so serving on January 23,
8 1955, and (b) who between June 30, 1950, and January
9 23, 1955, was certified and within reach for consideration

1 for indefinite appointment from a competitive civil service
2 register appropriate for filling a position in which he served
3 between such dates shall have his indefinite appointment
4 converted as of the effective date of this Act to a career
5 conditional appointment, or a career appointment, as deter-
6 mined appropriated under the civil service regulations applied
7 in conversions under section 201 of Executive Order 10577
8 of November 22, 1954.

9 SEC. 2. Each individual who between January 23, 1955,
10 and the effective date of this Act was separated from the
11 service without cause and who otherwise would have been
12 eligible for conversion under section 1 of this Act shall be
13 eligible for reinstatement within two years of the effective
14 date of this Act, under career conditional or career appoint-
15 ment in the competitive civil service in a position for which
16 qualified.

17 SEC. 3. The United States Civil Service Commission is
18 authorized and directed to promulgate regulations for the
19 administration and enforcement of this Act.

20 SEC. 4. This Act shall take effect ninety days from the
21 date of enactment.

22 *That the appointment of each employee of the Federal Gov-*
23 *ernment or the municipal government of the District of Co-*
24 *lumbia who—*

25 (1) on the effective date of this Act is serving under

1 *an indefinite or temporary appointment in a position in*
2 *the competitive civil service other than a position for*
3 *which the salary is fixed by the Postal Field Service*
4 *Compensation Act of 1955 (Public Law 68, Eighty-*
5 *fourth Congress);*

6 (2) *on January 23, 1955, was serving in a position*
7 *in the competitive civil service;*

8 (3) *from January 23, 1955, to the effective date*
9 *of this Act, served in a position or positions in the com-*
10 *petitive civil service without break in service;*

11 (4) (A) *during the period beginning June 3, 1950,*
12 *and ending January 23, 1955, passed a qualifying*
13 *examination for a position in the competitive civil service*
14 *in which he served during such period, or (B) within*
15 *one year after the effective date of this Act meets such*
16 *noncompetitive examination standards as the United*
17 *States Civil Service Commission shall prescribe with*
18 *respect to the position which he holds at the time he makes*
19 *the application prescribed by this section; and*

20 (5) *has completed, prior to making such application,*
21 *a total of continuous or intermittent satisfactory service*
22 *aggregating not less than three years on the rolls in a*
23 *position or positions in the competitive civil service;*

24 *shall, upon application by such employee made within one*
25 *year after the effective date of this Act to the appropriate*

1 department, agency, or establishment concerned, and upon
2 recommendation by such department, agency, or establish-
3 ment, be converted to a career-conditional appointment or a
4 career appointment determined by the appropriate United
5 States Civil Service Commission regulations governing con-
6 versions to career-conditional or career appointments in ac-
7 cordance with Executive Order Numbered 10577, dated
8 November 22, 1954.

9 *SEC. 2. The appointment in the competitive civil service*
10 *of each employee who—*

11 (1) (A) was appointed on or after December 20,
12 1941, to a position in the Workhouse at Occoquan in the
13 State of Virginia, the Reformatory at Lorton in the State
14 of Virginia, or the Washington Asylum and Jail, (B)
15 was appointed to a position in the Department of Cor-
16 rections of the District of Columbia (as constituted on
17 and after June 27, 1946) with a war service indefinite
18 appointment, or (C) was appointed on or after June
19 27, 1946, and prior to January 1, 1955, to a position
20 in such Department of Corrections, without regard to
21 the civil-service laws, rules, and regulations;

22 (2) is in a position in the Department of Correc-
23 tions of the District of Columbia on the effective date of
24 this Act;

25 (3) has completed, prior to making the application

prescribed by this section, a total of continuous or intermittent satisfactory service aggregating not less than three years in a position or positions in the municipal government of the District of Columbia; and

(4) within one year after the effective date of this Act meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position which he holds at the time he makes the application prescribed by this section; shall, upon application by such employee made within one year after the effective date of this Act to the appropriate department, agency, or establishment concerned, and upon recommendation by such department, agency, or establishment, be converted to a career-conditional appointment or a career appointment determined by the appropriate United States Civil Service Commission regulations governing conversions to career-conditional or career appointments in accordance with Executive Order Numbered 10577, dated November 22, 1954.

SEC. 3. Each individual who—

(1) was serving in a position in the competitive civil service under an indefinite appointment on January 23, 1955;

(2) between January 23, 1955, and the effective date of this Act, was involuntarily separated from the

1 competitive civil service for any reason other than for
2 cause;

3 (3) (A) during the period beginning June 3, 1950,
4 and ending January 23, 1955, passed a qualifying ex-
5 amination for a position in which he served during such
6 period, or (B) within one year after the effective date of
7 this Act, meets such noncompetitive examination stand-
8 ards as the United States Civil Service Commission
9 shall prescribe; and

10 (4) has completed, prior to reappointment under
11 this section, a total of continuous or intermittent satis-
12 factory service aggregating not less than three years on
13 the rolls in a position or positions in the competitive civil
14 service;

15 may, during the period ending two years after the effective
16 date of this Act, be reappointed without competitive examir-
17 tion to a position in the competitive civil service for which
18 he is qualified and such reappointment (except reappointment
19 to a position involving temporary job employment) shall be a
20 career-conditional appointment or a career appointment de-
21 termined by the appropriate United States Civil Service
22 Commission regulations governing conversions to career-
23 conditional or career appointments in accordance with Execu-
24 tive Order Numbered 10577, dated November 22, 1954.

1 *SEC. 4. The United States Civil Service Commission is*
2 *hereby authorized and directed to promulgate such rules and*
3 *regulations as it determines to be necessary to carry out the*
4 *provisions of this Act.*

5 *SEC. 5. Nothing in this Act shall affect, or be construed*
6 *to affect, the application of section 1310 of the Supplemental*
7 *Appropriation Act, 1952 (Public Law 253, Eighty-second*
8 *Congress), as amended.*

9 *SEC. 6. This Act shall take effect on the ninetieth day*
10 *following the date of its enactment.*

Amend the title so as to read: "An Act to provide for the granting of career-conditional and career appointments to certain qualified employees."

Passed the Senate June 29, 1955.

Attest:

FELTON M. JOHNSTON,

Secretary.

Union Calendar No. 512

84TH CONGRESS
1ST SESSION

S. 1849

[Report No. 1498]

AN ACT

To provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

JUNE 30, 1955

Referred to the Committee on Post Office and Civil Service

JULY 27, 1955

Reported with amendments, committed to the Committee of the Whole House on the State of the Union, and ordered to be printed

accordance with the terms of such contract, or (3) the enforcement of any such obligation by refusal to deliver water to lands covered by contractual provisions executed in accordance with said clause (d), except in those cases, if any, in which a sale or transfer consummated between December 27, 1938, and the date of enactment of this act is only discovered after such date of enactment to have been made contrary to such contractual provisions or to said clause (d).

SEC. 2. The Secretary of the Interior is authorized to amend any contract, which has been entered into prior to the date of enactment of this act, to conform with the provisions of the first section of this act. The consent of the United States is hereby given to the recording, at the expense of the party benefited thereby, of any such amended contract and to the simultaneous discharge of record of the original contract. The consent of the United States is likewise given to the discharge of record, at the expense of the party benefited thereby, of any contract which the Secretary of the Interior or his duly authorized agent finds is rendered nugatory by the enactment of this act.

The bill was ordered to be read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar bill, H. R. 5169, was laid on the table.

INDIAN CLAIMS COMMISSION

The Clerk called the bill (H. R. 5566) to terminate the existence of the Indian Claims Commission.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 23 of the Indian Claims Commission Act approved August 13, 1946 (60 Stat. 1049), is hereby amended to read as follows:

"SEC. 23. The existence of the Commission shall terminate at the end of 5 years from and after April 10, 1957, or at such earlier time as the Commission shall have made its final report to the Congress on all claims filed with it. Upon its dissolution the records of the Commission shall be delivered to the Archivist of the United States."

With the following committee amendments:

Page 1, line 4, strike out "(60 Stat. 1049)" and insert "(60 Stat. 1049, 1055; 25 U. S. C., sec. 70v)."

Page 2, line 3, insert:

"SEC. 2. Section 13 of the act approved August 13, 1946 (60 Stat. 1049, 1052; 25 U. S. C., sec. 701), is hereby amended by adding the following new subsection:

"(c) Attorneys appointed pursuant to subsection (b) hereof, may conduct hearings, administer oaths, examine witnesses, receive evidence and report findings of fact and recommendations for conclusions of law in cases assigned to them. Such attorneys shall not, by virtue of such duties, be subject to the Administrative Procedure Act."

The committee amendments were agreed to.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended so as to read: "A bill to terminate the existence of the

Indian Claims Commission, and for other purposes."

A motion to reconsider was laid on the table.

REVISED LAWS OF HAWAII

The Clerk called the bill (H. R. 6463) to ratify and confirm section 4539, Revised Laws of Hawaii 1945, section 1 (b), act 12, Session Laws of Hawaii 1951, and the sales of public lands consummated pursuant to the terms of said statutes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That section 4539, Revised Laws of Hawaii 1945, is hereby ratified and confirmed.

SEC. 2. Section 1 (b), act 12, Session Laws of Hawaii 1951, is hereby ratified and confirmed.

SEC. 3. All sales of public lands to abutting landowners consummated pursuant to the terms of the foregoing statutes are hereby ratified and confirmed and shall be deemed and held to be perfect and valid as of the date of the sales.

SEC. 4. This act shall take effect on and after the date of its approval.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMENDMENT OF CERTAIN PATENTS OF GOVERNMENT LANDS

The Clerk called the bill (H. R. 6807) to authorize the amendment of certain patents of Government lands containing restrictions as to use of such lands in the Territory of Hawaii.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Commissioner of Public Lands of the Territory of Hawaii, with the concurrence of the Governor of said Territory, be authorized to amend certain land patents by removing the conditions therein restricting the use of such lands for residence or eleemosynary purposes, so that the lands will be free of any such encumbrances: *Provided, however,* That no such restriction shall be removed in patents conveying an area in excess of one-half acre: *And provided further,* That in the opinion of the commissioner the surrounding area in which such lands are located has sufficiently changed to warrant such action.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

AMEND ACT OF MAY 19, 1947 (CH. 80, 61 STAT. 102)

The Clerk called the bill (H. R. 6945) to amend the act of May 19, 1947 (ch. 80, 61 Stat. 102), as amended, so as to permit per capita payments to the individual members of the Shoshone Tribe and the Arapahoe Tribe of the Wind

River Reservation in Wyoming, to be made quarterly.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. ASPINALL. Mr. Speaker, I ask unanimous consent that a similar Senate bill, S. 2087, be considered in lieu of the House bill.

The SPEAKER. Is there objection to the request of the gentleman from Colorado?

There being no objection, the Clerk read the Senate bill, as follows:

Be it enacted, etc., That section 3 of the act entitled "An act to authorize the segregation and expenditure of trust funds held in joint ownership by the Shoshone and Arapahoe Tribes of the Wind River Reservation," approved May 19, 1947 (ch. 80, 61 Stat. 102), as amended, is hereby amended by striking the words "and the first day of March" wherever it appears therein, and inserting in lieu thereof "the first day of December, the first day of March, and the first day of June". The additional administrative costs of any annual distribution in more than two installments shall be borne by the tribe.

Mr. ASPINALL. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Mr. ASPINALL moves to strike out all after the enacting clause of S. 2087 and insert the provisions of H. R. 6945 as passed.

The amendment was agreed to.

The bill was ordered read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

A similar House bill, H. R. 6945, was laid on the table.

RENEWAL AND ADJUSTMENT OF DEEPWATER MAIL CONTRACTS

The Clerk called the bill (H. R. 4569) to provide for renewal of and adjustment of compensation under contracts for carrying mail on water routes.

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the last two paragraphs of section 3951 of the Revised Statutes, as amended (39 U. S. C. 434), are amended by striking out the word "inland" wherever it appears in such paragraphs.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed, and a motion to reconsider was laid on the table.

CONVERSION OF INDEFINITE APPOINTMENT TO KOREA CONDITIONAL OR CAREER APPOINTMENT

The Clerk called the bill (S. 1849) to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. PELLY. Mr. Speaker, reserving the right to object, may I inquire if the Senate bill would be substantially broadened by any amendment?

Mr. ALEXANDER. That is correct.

(Mr. PELLY asked and was given permission to extend his remarks at this point in the RECORD.)

Mr. PELLY. Mr. Speaker, I strongly support this legislation to give career status to an estimated 50,000 indefinite Federal employees who have at least 3 years of satisfactory service. I believe I was the first Member of Congress to introduce a bill to correct the unjust situation in which so many loyal and faithful Government employees found themselves through no fault of their own.

I appeared before the House Post Office and Civil Service Committee and urged that the provisions of my bill be substituted for language in another bill which had been passed by the other body. Substantially, this measure represents what I had in mind and recommended.

Therefore, in urging its passage, I likewise commend the committee for recognizing the pressing need of correcting inequities resulting from Executive Order 10577.

Mr. FORD. Mr. Speaker, reserving the right to object, would the author of the bill or someone on the committee explain to the House the purpose of this bill; the necessity for it?

Mr. ALEXANDER. The purpose of the bill is this. Due to Executive Order No. 10577, about 455,000 Federal employees serving under indefinite or temporary appointments were brought under career status and about 80,000 others were left out. According to the testimony of the Civil Service Commission, inequities were caused due to the fact that by written instructions—some of them from the Civil Service Commission—many of these people who were left out had not applied to take a competitive examination. Due to this and certain other causes they were denied eligibility for career status and have continued to serve under temporary or indefinite appointments, although most employees in their category have been granted career status under the Executive order.

In order to correct this and to equalize the effect of the Executive order among all Federal employees, the Commission recommended that, if it were changed, it be broadened in order to take care of all of these employees on a fair basis and eliminate the inequities.

Mr. McCORMACK. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Massachusetts.

Mr. McCORMACK. The purpose of this is to rectify a situation brought about unintentionally, with discriminatory results to a number of Federal employees. I hope the bill will pass by unanimous consent. It is on the suspension list for today but if we can pass it by unanimous consent it would be advantageous.

Mr. CEDERBERG. Mr. Speaker, will the gentleman yield?

Mr. FORD. I yield to the gentleman from Michigan.

Mr. CEDERBERG. I wholeheartedly concur in the remarks of the gentleman

from North Carolina [Mr. ALEXANDER]. This legislation will take care of certain people who through no fault of their own find themselves in the situation which the gentleman has so ably described.

Mr. FORD. Mr. Speaker, I withdraw my reservation of objection.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That, each employee (a) who on the effective date of this act is serving under an indefinite appointment in a position in the competitive civil service other than a position whose salary rate is fixed by the act of July 6, 1945 (59 Stat. 435), as amended, and was so serving on January 23, 1955, and (b) who between June 30, 1950, and January 23, 1955, was certified and within reach for consideration for indefinite appointment from a competitive civil-service register appropriate for filling a position in which he served between such dates shall have his indefinite appointment converted as of the effective date of this act to a career conditional appointment, or a career appointment, as determined appropriate under the civil-service regulations applied in conversions under section 201 of Executive Order 10577 of November 22, 1954.

SEC. 2. Each individual who between January 23, 1955, and the effective date of this act was separated from the service without cause and who otherwise would have been eligible for conversion under section 1 of this act shall be eligible for reinstatement within 2 years of the effective date of this act, under career conditional or career appointment in the competitive civil service in a position for which qualified.

SEC. 3. The United States Civil Service Commission is authorized and directed to promulgate regulations for the administration and enforcement of this act.

SEC. 4. This act shall take effect 90 days from the date of enactment.

With the following committee amendment:

Strike all after the enacting clause and insert the language printed in italics in the reported bill.

The committee amendment was agreed to.

Mr. BOLAND. Mr. Speaker, as a member of the objectors' committee on the Consent Calendar under which S. 1849 comes to the floor of the House, I rise to support this bill and ask the House to pass it today. This is meritorious legislation. It corrects some gross inequities for many Federal employees which occurred through the promulgation of Executive Order 10577. That order established a career and career-conditional system for Government civil service employees. In my opinion, this recommendation of the Civil Service Commission was needed to strengthen civil service and to protect the faithful employee who could not be given permanent status despite 3 years or more of service.

The employees who have suffered due to the inequities established by Executive Order 10577 are those who either passed a qualifying civil-service examination and were not referred for appointment, or did not take a civil-service examination due to the fact that they were discouraged from doing so either by the Civil Service Commission or by the agency concerned. Others failed to take

examinations because such examinations would be of no avail since appointments were restricted to indefinite status and could not be converted to any permanency. The adoption of this legislation would go a long way in correcting these injustices.

Mr. Speaker, I have been particularly concerned with the matter now before us. It was one to which I directed my attention when the Civil Service Commission appeared before the Appropriations Subcommittee on Independent Offices. At that time, I suggested qualifying or noncompetitive examinations for those with 3 years of satisfactory service who were declared ineligible for status because their names were not taken from a civil service roster. This bill meets those suggestions and I congratulate the Post Office and Civil Service Committees of both the House and Senate in recognizing the equity and fairness of this bill.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.

The title was amended to read: "An act to provide for the granting of career-conditional and career appointments to certain qualified employees."

A motion to reconsider was laid on the table.

EXTENSION SERVICE APPROPRIATIONS FOR LOW-INCOME FARMERS' PROGRAM

The Clerk called the bill (S. 2098) to amend Public Law 83, 83d Congress.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CUNNINGHAM. Mr. Speaker, reserving the right to object, will someone who knows answer a question with regard to this bill? I would like to know the approximate cost of it.

Mr. DIXON. The approximate cost is \$925,000 for the year.

Mr. CUNNINGHAM. I withdraw my reservation of objection, Mr. Speaker.

The SPEAKER. Is there objection to the present consideration of the bill?

There being no objection, the Clerk read the bill, as follows:

Be it enacted, etc., That the Smith-Lever Act, as amended (7 U. S. C. 341 and the following, supp. 1), is further amended as follows:

(a) By adding a new section, following section 7, to read as follows:

"SEC. 8. In order to further the purposes of section 2 in agricultural areas which, because of special circumstances affecting such areas, are at a disadvantage insofar as agricultural development is concerned, and to encourage complementary development essential to the welfare of such areas, there is hereby authorized to be appropriated such sums as the Congress from time to time shall determine to be necessary for payments to the States, Alaska, Hawaii, and Puerto Rico on the basis of special needs in such areas as determined by the Secretary of Agriculture. Sums appropriated in pursuance of this section shall be in addition to, and not in substitution for, appropriations, otherwise available under this act."

(b) By renumbering section 8 to read section 9.

With the following committee amendment:

SENATE

17. **FORESTS.** Sen. Goldwater spoke in support of S. 55, to authorize the USDA to acquire certain forest lands from the Aztec Land & Cattle Co. He suggested that certain lobbying activities of the National Lumber Manufacturers Association were preventing favorable action on the bill by the House, and inserted several letters from interested parties supporting that contention (pp. 10844-6).
18. **RESEARCH.** Sen. Smith, W. J., inserted a newspaper article by Dr. A. T. Waterman commenting favorably on efforts by the Government and private industry to expand the educational facilities for students interested in science (pp. 10847-8).
19. **BUDGET.** Sen. Goldwater inserted a table detailing the budget surpluses and deficits of Congresses from 1946 to 1955 (pp. 10849-51).
20. **SUGAR.** Sen. Fulbright objected to consideration of H. R. 7030, the sugar bill, upon its second reading because it was believed that the importance of the bill would seem to warrant greater consideration than the closing hours of the session would permit. Sen. Thye rejoined that the legislation was needed for emergency matters (pp. 10851-2, 10877). Sen. Long served notice that he would ask for a suspension of the rules in the consideration of H. R. 7030, without reference of the bill to the Senate Finance Committee; and Sen. Douglas questioned the propriety of that procedure (pp. 10920-1). Sen. Long submitted an amendment to be proposed by him to H. R. 7030, and it was ordered to be printed (p. 10948).

The Finance Committee ordered favorably reported S. 1635, to amend and

 1. extend the Sugar Act of 1948, after striking all after the enacting clause and substituting the language of H. R. 7030, with the following changes: "The formula for future growth to be 55 percent for domestic and 45 percent for foreign; the foreign quota to be divided on basis of 60 percent to Cuba and 40 percent to be divided among full-duty countries proportionately on basis of their sales of sugar in U. S. market during last 4 years; benchmark to be 8,300,000 tons; and a 6-year extension in lieu of 4 years."
21. **HOUSING.** Received and agreed to the conference report on S. 2126, the housing bill (pp. 10906-11). The conferees agreed to continuation of the present farm-housing program through the fiscal year 1956, with \$112 million available for direct loans, to prevent defaults in payments on loans for potentially adequate farms and for the improvement and repair of farms.
22. **FORESTRY CONSERVATION.** Sen. Clements inserted the remarks of Sens. George and Magnuson on the practices of conservation by private industry, the U. S. Forest Service, and State agencies. Sen. Magnuson commended the activities of the Rayonier Corporation in the field of conservation and suggested that conservation should be construed to mean adequate and planned utilization of forests and forest products (pp. 10929-31).
23. **ECONOMIC DEVELOPMENT.** Sen. Watkins inserted two articles prepared by himself citing the achievements of the U. S. economy in the second quarter of 1955 (pp. 10938-41).
24. **EXTENSION WORK.** Concurred in the House amendment to S. 2098, to authorize special appropriations for extension work among low-income farmers (pp. 10883-4). This bill will now be sent to the President.

25. EXPERIMENT STATIONS. Concurred in House amendments to S. 1759, to consolidate authorization legislation regarding aid to State agricultural experiment stations (p. 10884). This bill will now be sent to the President.
26. MARKETING. Concurred in House amendments to S. 1757, to amend the Agricultural Marketing Act of 1946 so as to remove any question which may have resulted from a change in appropriation language as to the applicability of penalties for forgery of inspection certificates covering agricultural commodities, and to expand and tighten provisions for such penalties (p. 10884). This bill will now be sent to the President.
27. FARM LOANS. Concurred in House amendments to S. 1621, to authorize adjustment by the Secretary of Agriculture of certain obligations of settlers on projects developed under or subject to the Wheeler-Case Act of 1939 (p. 10882). This bill will now be sent to the President.
28. PERSONNEL. Received and agreed to the conference report on S. 1041, to provide for the inclusion in the computation of accredited service of certain periods of service rendered States (p. 10913). House and Senate conferees had been appointed earlier in the day (pp. 10877, 11005). The conferees agreed to the House amendments to the bill.

Concurred in House amendments to S. 1849, to provide for the grant of career-conditional and career appointments in the competitive civil service to indefinite employees who previously qualified for competitive appointment (pp. 10882-3). This bill will now be sent to the President.

Concurred in House amendments to S. 1792, to amend the Federal Employees Group Life Insurance Act of 1954 so as to authorize the assumption of the insurance obligations of any nonprofit association of Federal employees (p. 10882). This bill will now be sent to the President.

Passed with amendment H. R. 7618, to increase the annuity benefits of retired Federal employees by 12% on the first \$1,500 and 8% thereafter up to \$4,000, with a gradual reduction in the increases until they end on Dec. 31, 1957 (pp. 10853, 10902, 10912, 10924-6).

Agreed to the conference report on H. R. 4048, making recommendations to the States for legislation to permit and assist Federal personnel to vote (pp. 10899, 10901-5).

S. 2628, the executive pay bill, provides as follows as reported by the committee:

Provides specific salaries for various officials, including: Secretary of Agriculture, Director of Office of Defense Mobilization, and Director of the Budget, \$25,000; 2 Administrative Assistants to the President, and Comptroller General, \$22,500; Administrator of Veterans' Affairs, \$22,000; 3 Administrative Assistants to the President, Under Secretary of Agriculture, Administrator of General Services, Director of International Cooperation Administration, Administrator of Federal Civil Defense Administration, and Governor of FCA, \$21,000; Assistant Comptroller General, Deputy Director of Budget Bureau, Chairman of Civil Service Commission, and members of Council of Economic Advisers, \$20,500; 7 Administrative Assistants and staff assistants to the President, 3 Assistant Secretaries of Agriculture, Fiscal Assistant Secretary of the Treasury, members (other than chairman) of Civil Service Commission, Deputy Administrator of General Services, Archivist, Administrator of Production and Marketing Administration, Administrator of REA, Public Printer, Librarian of Congress, each Assistant Director of Budget Bureau (2), Director of National Science Foundation, and General Counsel (or other comparable officer) of a department when required to be appointed by the President, \$20,000; Commissioner of Federal Supply Service, Commissioner of Public Buildings Ser-

I joined with all his other colleagues in wishing him a very pleasant trip home. I am quite certain that after he and the others of us have rested our bodies and our minds during the adjournment period, he and we will come back invigorated in mind and body, to render whatever service may be required in the next session and in the years to come.

I hope Senator GEORGE will be with us in the next session and for many sessions to come.

Mr. McCLELLAN. Mr. President, I just walked into the Chamber and heard some remarks concerning our distinguished colleague, the senior Senator from Georgia. I was somewhat perturbed at first; I thought perhaps the Senator had made some announcement which might have carried greater significance than the remarks I had heard.

I wish to associate myself with the sentiments which have been expressed by the distinguished junior Senator from Kentucky [Mr. BARKLEY].

I have frequently had occasion to say in public addresses in my State, and on other occasions privately, that no State in the Union is more ably represented in the Senate than is the State of Georgia. I take occasion to say that again on the floor of the Senate this afternoon.

Never is a question of vital importance to this Nation being discussed that I do not listen intently to the words of wisdom and counsel which are uttered by the distinguished Senator from Georgia. Often I am persuaded to defer, possibly, my hasty judgment to his well-considered opinions and the counsel which he gives us.

I join with other Members of the Senate in wishing him a happy and pleasant vacation. I trust he will return to the next session of Congress, early next year, with full vigor and in the spirit which he has manifested in the past, to carry on and continue to make great contributions to the security of our Nation and to the destiny of our public welfare.

Mr. THURMOND. Mr. President, the people of South Carolina are neighbors of the people of Georgia. The people of South Carolina look upon the distinguished senior Senator from Georgia with respect and esteem. They greatly admire him for having provided the American people with outstanding leadership. It is my wish that Senator GEORGE will improve in health and will have a speedy recovery by next year.

Mr. NEUBERGER. Mr. President, I wish to join in the tributes to Senator GEORGE. I should like to add a short personal comment.

One of the things I discovered when I came to the Senate was that I had much to learn. I particularly had a great deal to learn in the field of foreign policy. Whenever I have gone to Senator GEORGE and asked for information or enlightenment in the field of foreign policy, I have found him to be more than courteous, more than patient, and more than kind in answering some of my questions, which occasionally must have seemed very primitive and elemental to him. I am grateful to him for

his wise counsel to a freshman Senator. I hope he may return to us in the best of health.

A great President once said it is not a question whether a man is old in years; it is whether he is young in heart. I think Senator GEORGE lives up to that description.

Mr. CASE of New Jersey. Mr. President, as a very junior Senator, it is my honor to pay respect and tribute to the distinguished senior Senator from Georgia. He has given to this body a great distinction and prestige. As a new Member of the Senate, I am honored to be one of his colleagues. He has meant much to our country.

All of us, under the leadership of our great President, hope that we have at last turned the corner, so far as the foreign situation is concerned. The contribution which has been made by the senior Senator from Georgia to the administration and to the country in turning that corner is of incalculable value.

We earnestly hope that the Senator from Georgia will return to the Senate next year, restored in vigor and able to render again, during the next session of Congress, the same kind of service to the country and to us as individual Members of the Senate that he has rendered in the past.

Mr. KUCHEL. Mr. President, the President of the United States has correctly stated that the basic goal of the Government of this Nation is the security of the American people in a just and honorable peace. The senior Senator from Georgia [Mr. GEORGE] has contributed magnificently to the strides which have been taken towards the achievement of that goal.

I have been a Member of the Senate for 2½ years, and I have listened during that time to the debates with respect to foreign policy. It has been thrilling to me as an American citizen to see a majority of the Members of the Senate, on both sides of the aisle, unite as Americans on questions of foreign policy, and on a basis of what is best for the American people, and not on a basis of partisan concern. I have sat here and listened to the distinguished senior Senator from Georgia speak upon occasion and change the minds of Members of the Senate by his logic and his patriotism and his powers of persuasion, too.

On a personal basis, I wish to mention the great pride I have in being able to refer to the senior Senator from Georgia as a friend who has on occasion given me the benefit of his counsel, and who has, together with his wife, been so very generous to my wife and to me.

So let me, too, join with all my seniors who have preceded me on this occasion, to wish for the Senator from Georgia and for the Nation many more years of additional honorable and highly patriotic service by him in the United States Senate, where his has been the great force of leadership in a field in which I am sure most of the American people—the overwhelming majority—see eye to eye.

Mr. HILL. Mr. President, I wish to join in the tributes which have been paid to the Senator from Georgia as a great American and a great statesman, and for

his magnificent service to our country and to the peoples of the free world.

As his neighbor, living in the adjoining State of Alabama. I particularly wish to mention the invaluable service he has rendered to his own people, the people of Georgia. As I know so well, year in and year out the senior Senator from Georgia has labored, toiled, and worked for his people, ably and effectively, has been in his service to them through the years.

Whether it has been the cause of vocational education, whether it has been the cause of the large or small farmer, whether it has been the cause of the businessman or laboring man, the white collar worker, or the big industrialist, the Senator from Georgia has always worked and fought to promote the interest and the welfare and the advancement of the people of the State of Georgia.

Surely no people could feel a greater sense of pride than rightfully should be that of the people of Georgia in the fact that through the years they have had in the Senate one who has served them, not only with great distinction in connection with the foreign affairs of the United States, but who has served them with such great devotion and such indefatigable effort at all times, and, most of all, with such tremendous effect.

Mr. HUMPHREY. Mr. President, the request of the distinguished Senator from Georgia for leave of absence from the Senate before adjournment has given many of us the chance to speak, who have looked for this opportunity to say a few words from our hearts concerning this great American.

The Senator from Georgia is to the United States Senate a bulwark of strength. He has represented the finest traditions of this great deliberative body, and he has always been an effective force in building up our own domestic economy and the strength of the free world.

The Senator from Georgia has occupied many important roles in the Senate, but none has been more important to mankind than has his chairmanship of the Committee on Foreign Relations. It has been my privilege, as one of the junior members of the committee, to serve with him for almost 3 years. This is a service that is not only one of participation, but one of education.

The Senator from Georgia is more than a chairman of a great committee. He is a profound and effective statesman. This great statesman has done something for our country in recent months that American citizens throughout the land have longed for. The truce in Korea brought an end to the shooting war. The proposal of the Senator from Georgia for a Big Four Conference has brought an end to a shouting war. And when leaders of nations cease shouting at one another, they have an opportunity to think together and to plan for a society in which men and women can live in peace and tranquillity and justice.

I wish to say to my good friend—and he is just that—that he has stood as a symbol of military strength at a time when military strength was needed. He has led the fight in the Senate for economic strength at home and abroad,

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief explanation.

There being no objection, the explanation was ordered to be printed in the RECORD, as follows:

HOUSE AMENDMENT TO S. 2098

The House amendment is a complete substitute for the Senate bill and was drafted and approved by the Department of Agriculture. The amendment outlines in substantial detail the purposes for which additional funds for the Extension Service are to be used for the aid of low-income farmers in special areas. The amendment limits the total amount of such additional funds to 10 percent of the funds otherwise appropriated for the Extension Service under the Smith-Lever Act, and also limits the amount going to any one State to 10 percent of the total amount of additional funds.

AMENDMENT OF AGRICULTURAL MARKETING ACT OF 1946

The PRESIDING OFFICER laid before the Senate the amendment of the House of Representatives to the bill (S. 1757) to amend the act known as the Agricultural Marketing Act of 1946, approved August 14, 1946, which was, on page 1, line 6, strike out all after "sentence:" over through line 14 on page 2, and insert: "Whoever knowingly shall falsely make, issue, alter, forge, or counterfeit any official certificate, memorandum, mark, or other identification, or device for making such mark or identification, with respect to inspection, class, grade, quality, size, quantity, or condition, issued or authorized under this section or knowingly cause or procure, or aid, assist in, or be a party to, such false making, issuing, altering, forging, or counterfeiting, or whoever knowingly shall possess, without promptly notifying the Secretary of Agriculture or his representative, utter, publish, or use as true, or cause to be uttered, published, or used as true, any such falsely made, altered, forged or counterfeited official certificate, memorandum, mark, identification, or device, or whoever knowingly represents that an agricultural product has been officially inspected or graded (by an authorized inspector or grader) under the authority of this section when such commodity has in fact not been so graded or inspected shall be fined not more than \$1,000 or imprisoned not more than 1 year, or both."

Mr. ELLENDER. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a short statement with reference to the House amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HOUSE AMENDMENT TO S. 1757

The House amendment would narrow the effect of several provisions of the bill to which the trade objected on the grounds that they were too broad. The purpose of

the bill is to strengthen the law providing penalties for the forgery of inspection certificates and certain other matters in connection with the inspection of agricultural commodities under the Agricultural Marketing Act of 1946. The House amendments would—

1. Strike the provision of the bill imposing penalties for violations of regulations of the Secretary, on the ground that the other provisions of the bill adequately protect the integrity of the inspection system and furnish a more definite guide to the trade,

2. Limit the provisions of the bill relating to false or deceptive representations to representations that a commodity has been officially graded, when it has not,

3. Provide that acts shall be violations only if done "knowingly," and

4. Limit to "official" certificates memoranda, marks, and other identification the type of material which will be the subject matter of violations.

The Department of Agriculture has no objection to the House amendment.

FUNDS FOR SUPPORT OF AGRICULTURAL EXPERIMENT STATIONS

The PRESIDING OFFICER laid before the Senate the amendments of the House of Representatives to the bill (S. 1759) to consolidate the Hatch Act of 1887 and laws supplementary thereto relating to the appropriation of Federal funds for the support of agricultural experiment stations in the States, Alaska, Hawaii, and Puerto Rico, which were, on page 5, after line 21, insert:

4. Not less than 20 percent of any sums appropriated pursuant to this subsection for distribution to States shall be used by State agricultural experiment stations for conducting marketing research projects approved by the Department of Agriculture.

And on page 5, line 22, strike out "4" and insert "5."

Mr. ELLENDER. Mr. President, I move that the Senate concur in the House amendments.

The PRESIDING OFFICER. The question is on agreeing to the motion of the Senator from Louisiana.

The motion was agreed to.

Mr. ELLENDER. Mr. President, I ask unanimous consent to have printed at this point in the RECORD a brief explanation of the principal House amendment.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

HOUSE AMENDMENT TO S. 1759

The only amendment made to the bill by the House is the insertion of a requirement that experiment stations continue to use 20 percent of their available appropriations for marketing research. Under the bill as it passed the Senate, the present requirement of law that 20 percent of each State's allotment be used for marketing research would have applied only up to the level of appropriations for the fiscal year 1955. Appropriations beyond that level would not have been subject to this requirement under the bill as it passed the Senate.

The amendment is satisfactory to the Department of Agriculture and the Association of Land-Grant Colleges and Universities does not object to it.

ACTIVITIES OF THE FOREIGN RELATIONS COMMITTEE

Mr. GEORGE. Mr. President, first of all, I wish to place in the RECORD a state-

ment regarding the activities of the Foreign Relations Committee of the United States Senate, for the 1st session of the 84th Congress.

There being no objection, the statement was ordered to be printed in the RECORD, as follows:

STATEMENT BY SENATOR WALTER F. GEORGE, CHAIRMAN, COMMITTEE ON FOREIGN RELATIONS

As the first session of this 84th Congress draws to a close, I want briefly to comment on the work of the Foreign Relations Committee in the field of United States foreign policy.

During this session we have had one of the heaviest foreign policy schedules that I have ever experienced. It has been a heavy schedule not only from the point of view of the number of items we have considered, but from the point of view of their importance to the security of this Nation.

Within 7 months the Senate has dealt with such matters in the Far East as the Southeast Asian Collective Defense Treaty, the Mutual Defense Treaty with the Republic of China, the Formosan Resolution, and the Mutual Security Act which was largely devoted to strengthening the defenses and the economies of that area.

In connection with strengthening Western Europe, during the same period of time we have approved the protocol restoring sovereignty to the Federal Republic of Germany, approved the protocol inviting the Federal Republic to join NATO, approved the Austrian State Treaty, and helped by the Mutual Security Act to encourage the development of the joint defense of Western Europe.

The United States Senate may well be proud of its role in foreign policy during this period. We have without exception acted on these matters of vital national interest without partisanship. We have, I believe, carried on the tradition that was established during the late war, namely, that there is no room for partisanship in the development and conduct of the foreign policy of our country. If we maintain this course in the years ahead, and I believe we will, we need have no fear for the future of freemen.

I want to pay high tribute to the members of the Committee on Foreign Relations. It is a great committee. Its members have been devoted in their attention to duty, they have unfailingly met their responsibilities to the Senate and to the Nation, and they have sustained the tradition of their great predecessors on that committee. I will not take the time of the Senate to comment individually on the work of each member of the committee. I want to record now, however, my deep appreciation to Senator ALEXANDER WILEY, of Wisconsin, and Senator ALEXANDER SMITH, of New Jersey, the two ranking Republicans on the committee.

I also wish to express my appreciation to the ranking Democratic member, Senator THEODORE FRANCIS GREEN, of Rhode Island, and to all the other members of the committee for the splendid cooperation they have given me throughout the session. We have conducted many hearings. We have held many meetings. Our schedule has called for many weeks of hard work, and I am grateful for the fine contribution which the committee and its staff have made.

In order that there may be readily available a summary of the work of the Committee on Foreign Relations and of the Senate during this session, I should like to insert in the RECORD at this point a brief review of the foreign-policy matters considered since we began our work in January.

TREATIES APPROVED

1. Southeast Asia Collective Defense Treaty (Ex. K, 83-2; Ex. Rept. 1, 84-1): This

Public Law 380 - 84th Congress
Chapter 866 - 1st Session
S. 1849

AN ACT

To provide for the granting of career-conditional and career appointments to certain qualified employees.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the appointment of each employee of the Federal Government or the municipal government of the District of Columbia who—

Government em-
ployees.
Career-conditional
and career ap-
pointments.

(1) on the effective date of this Act is serving under an indefinite or temporary appointment in a position in the competitive civil service other than a position for which the salary is fixed by the Postal Field Service Compensation Act of 1955 (Public Law 68, Eighty-fourth Congress);

Ante, p. 88

(2) on January 23, 1955, was serving in a position in the competitive civil service;

(3) from January 23, 1955, to the effective date of this Act, served in a position or positions in the competitive civil service without break in service;

(4) (A) during the period beginning June 3, 1950, and ending January 23, 1955, passed a qualifying examination for a position in the competitive civil service in which he served during such period, or (B) within one year after the effective date of this Act meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position which he holds at the time he makes the application prescribed by this section; and

69 Stat. 709.
69 Stat. 710.

(5) has completed, prior to making such application, a total of continuous or intermittent satisfactory service aggregating not less than three years on the rolls in a position or positions in the competitive civil service;

shall, upon application by such employee made within one year after the effective date of this Act to the appropriate department, agency, or establishment concerned, and upon recommendation by such department, agency, or establishment, be converted to a career-conditional appointment or a career appointment determined by the appropriate United States Civil Service Commission regulations governing conversions to career-conditional or career appointments in accordance with Executive Order Numbered 10577, dated November 22, 1954.

3 CFR, 1954 Supp.,
p. 84.
D. C. Corrections
Department em-
ployees.

SEC. 2. The appointment in the competitive civil service of each employee who—

(1) (A) was appointed on or after December 20, 1941, to a position in the Workhouse at Occoquan in the State of Virginia, the Reformatory at Lorton in the State of Virginia, or the Washington Asylum and Jail, (B) was appointed to a position in the Department of Corrections of the District of Columbia (as constituted on and after June 27, 1946) with a war service indefinite appointment, or (C) was appointed on or after June 27, 1946, and prior to January 1, 1955, to a position in such Department of Corrections, without regard to the civil-service laws, rules, and regulations;

(2) is in a position in the Department of Corrections of the District of Columbia on the effective date of this Act;

(3) has completed, prior to making the application prescribed by this section, a total of continuous or intermittent satisfactory service aggregating not less than three years in a position or positions in the municipal government of the District of Columbia; and

(4) within one year after the effective date of this Act meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe with respect to the position which he holds at the time he makes the application prescribed by this section;

shall, upon application by such employee made within one year after the effective date of this Act to the appropriate department, agency, or establishment concerned, and upon recommendation by such department, agency, or establishment, be converted to a career-conditional appointment or a career appointment determined by the appropriate United States Civil Service Commission regulations governing conversions to career-conditional or career appointments in accordance with Executive Order Numbered 10577, dated November 22, 1954.

3 CFR, 1954
Supp., p. 84.
Persons separated without
cause after
Jan. 23, 1955.

SEC. 3. Each individual who—

(1) was serving in a position in the competitive civil service under an indefinite appointment on January 23, 1955;

(2) between January 23, 1955, and the effective date of this Act, was involuntarily separated from the competitive civil service for any reason other than for cause;

69 Stat. 710.
69 Stat. 711.

(3) (A) during the period beginning June 3, 1950, and ending January 23, 1955, passed a qualifying examination for a position in which he served during such period, or (B) within one year after the effective date of this Act, meets such noncompetitive examination standards as the United States Civil Service Commission shall prescribe; and

(4) has completed, prior to reappointment under this section, a total of continuous or intermittent satisfactory service aggregating not less than three years on the rolls in a position or positions in the competitive civil service;

may, during the period ending two years after the effective date of this Act, be reappointed without competitive examination to a position in the competitive civil service for which he is qualified and such reappointment (except reappointment to a position involving temporary job employment) shall be a career-conditional appointment or a career appointment determined by the appropriate United States Civil Service Commission regulations governing conversions to career-conditional or career appointments in accordance with Executive Order Numbered 10577, dated November 22, 1954.

3 CFR, 1954
Supp., P. 84.
Rules and
regulations.

SEC. 4. The United States Civil Service Commission is hereby authorized and directed to promulgate such rules and regulations as it determines to be necessary to carry out the provisions of this Act.

SEC. 5. Nothing in this Act shall affect, or be construed to affect, the application of section 1310 of the Supplemental Appropriation Act, 1952 (Public Law 253, Eighty-second Congress), as amended.

Effective
date.

SEC. 6. This Act shall take effect on the ninetieth day following the date of its enactment.

Approved August 12, 1955.